Contents for 1991

Table of Cases vii
Table of Legislation xxvii

Case and comment
Salvaging the law of agency (*The Choko Star*) 1
The consignee's right of action against the carrier of goods by sea (*The Captain Gregos (No. 2)*) 5
Spiliada and the Brussels Convention (*S. & W. Berisford Plc* v. *New Hampshire Ins. Co.*; *Arkwright Mutual Ins. Co.* v. *Bryanston Ins. Co.*; *Hagen* v. *Zeehaghe*) 10
Extending time for arbitration (*Comdel Commodities Ltd.* v. *Siporex Trade S.A. (No. 2)*) 15
Duty of disclosure again (*Banque Keyser Ullmann S.A.* v. *Skandia (U.K.) Ins. Co. Ltd.* or *Banque Financière de la Cité S.A.* v. *Westgate Ins. Co.*) 18
Retention of title in mixed and processed goods (*Coleman* v. *Harvey*) 23
The worldwide *Mareva* marches on (*Derby & Co. Ltd.* v. *Weldon (No. 6)*) 26
Invitations to tender and the creation of contracts (*Blackpool and Fylde Aero Club* v. *Blackpool B.C.*) 31
Course of transit and reasonable despatch of insured cargo (*Verna Trading* v. *New India Assurance*) 36
Mortgage or sale?: a problem of circularity highlighted (*Curtain Dream Plc* v. *Churchill Merchanting Ltd.*) 39
Documentary credits, fraud and string contracts (*Korea Industry Co. Ltd.* v. *Andoll Ltd.*) 43
The Aviation and Maritime Security Act 1990 44
Time of shipment in f.o.b. contracts (*The Naxos*) 147
Reservation of title—the House of Lords speaks with a Scottish accent (*Armour* v. *Thyssen Edelstahlwerke A.G.*) 154
The loss of goods due to inherent vice (*T.M. Noten B.V.* v. *Harding*) 162
Qantas Airways Ltd. v. *S.S. Pharmaceutical Co. Ltd.* 165
Limitation periods in tort and the negligent adviser—the injustice continues (*Bell* v. *Peter Browne & Co.*; *Lee* v. *Thompson*) 169
Legitimate last voyage (*The Peonia*) 173
Bankers' draft and mistakes (*Midland Bank* v. *Brown Shipley & Co. Ltd.*) 291
Common mistake and frustration in Hong Kong (*Jan Albert (HK) Ltd.* v. *Shu Kong Garment Factory Ltd.*) 297
The yen for building ships: further consideration (*Anangel* v. *IHI*) 305
Interest rates on general damages prior to judgment (*MBP (SA) Pty. Ltd.* v. *Gogic*) 308
Panama introduces new financial leasing law 310
Breach of warranty in the law of insurance (*The Good Luck*) 437
Liability for omissions: heavy weather in the Privy Council (*The Hua Lien*) 441
Coming to terms with the Brussels Jurisdiction and Judgments Convention (*The Po*) 446

A reasonable compromise (*Tudor Grange Holdings* v. *Citibank*) 449
Reinsurance cover not as original (*The Superhulls Cover Case* (*No. 2*)) 454
Contract and co-operation (*The Gudermes*) 459
Bearing up to bills of exchange (*MK International* v. *The Housing Bank*) 463
Last voyages: another view (*The Peonia*) 470

Articles

The evolution of modern sales law
M. G. Bridge 52
Does deviation still matter?
Simon Baughen 70
Conversion of the gold monetary unit into money of payment
Francesco Berlingieri 97
LOF 1990
Nicholas Gaskell 104
The concept and implications of a market in commercial law
Professor Roy Goode, Q.C. 177
Rights of suit in respect of carriage of goods by sea
J. Beatson and J. J. Cooper 196
Breaking the seal: the new law on deeds
Graham Virgo and Charles Harpum 209
The extra-territorial reach of the *Mareva* injunction
Hon. Justice Andrew Rogers 231
The U.S. Oil Pollution Act of 1990
A.F. Bessemer Clark 247
The new Luxembourg shipping register
Luc Frieden 257
Canadian maritime law decisions 1989-1990
Professor William Tetley, Q.C. 264
The Contracts (Applicable Law) Act 1990
James Young 314
Australian maritime law decisions 1990
Martin Davies 326
Shipping conferences and the Australian Trade Practices Act
Warren Pengilley 342
Agent's liability for knowing receipt
Y.L. Tan 357
Tracing misdirected funds
Ewan McKendrick 378
The Computer Misuse Act 1990
Keith R. Wotherspoon 391
Recent development in equity joint venture law in the PRC
Clement Shum 403
The ship's agent (maritime agent) and shipbroker in Poland
Przemyslaw Anders 408
The English recognition of unjust enrichment
Professor Peter Birks 473
Scott v. *Avery* agreements
Professor D. Rhidian Thomas 508
The purchase money security interest: a company charge conundrum?
John de Lacy 531
Transferable and negotiable documents of title—a redefinition?
A. M. Tettenborn 538

Book Reviews
Treitel: Remedies for Breach of Contract: A Comparative Account 124
Macleod: Consumer Sales Law 126
Summerskill: Laytime (4th Edn.) 127
Sarwal: KPMG International Handbook of Financial Instruments and Transactions 129
Hapgood: Paget's Law of Banking (10th Edn.) 130
Mustill and Boyd: Law and Practice of Commercial Arbitration in England (The) (2nd Edn.) 132
Honnold: Documentary History of the Uniform Law for International Sales 133
Bianca and Bonell (Eds.): Commentary on the International Sales Law: The 1980 Vienna Sales Convention 133
Richards (Ed.): Legal Aspects of Introducing Products to the United States Market 134
Smith: Law of Contract (The) 136
Treitel: An Outline of the Law of Contract (4th Edn.) 136
Schmidt: Common Heritage or Common Burden (The United States' position on the development of a regime for deep sea-bed mining in the Law of the Sea Convention) 137
Netherlands Institute for the Law of the Sea (NILOS): International Organizations and the Law of the Sea Documentary Yearbook Vol. 3, 1987 138
Summerfield and Campbell (Eds.): Effective Dispute Resolution for the International Commercial Lawyer 139
Tiplady: Introduction to the Law of International Trade 140
Clark: Product Liability 141
Wright: Product Liability (The Law and its Implications for Risk Management) 141
Qi: Maritime Legal Proceedings in China 143
Arroyo (Ed.): Yearbook Maritime Law Vol. III 144
Bell: Modern Law of Personal Property in England and Ireland 280
Cromie and Park: International Commercial Litigation 282
McKendrick: Contract Law 283
Smith: State Responsibility and the Marine Environment: the Rules of Decision 284
Amerasinghe: Local Remedies in International Law 285
Atiyah: The Sale of Goods (8th Edn.) 287
Fallows: The Food Sector 288
Eurofi Plc: 1992—Planning for the Food Industry 288
Clarke: Law of Insurance Contracts (The) 413
Butler: Arbitration in the Soviet Union 414
Tyree: Banking Law in Australia 415
Munkman: Employer's Liability at Common Law (11th Edn.) 417
Abdul Hamid El-Ahdab: Arbitration with the Arab Countries 419
Broches: Commentary on the UNCITRAL Model Law on International Commercial Arbitration 421
Prime: International Bonds and Certificates of Deposit 422
O'Connor: Good Faith in English Law 423
Lauterpacht: Greenwood, Weller and Bethlehem (Eds.): Kuwait Crisis (The): Basic Documents 424
Vasciannie: Land-locked and Geographically Disadvantaged States in the International Law of the Sea 425
Neate and McCormick (Eds.): Bank Confidentiality 426
Toope: Mixed International Arbitration (Studies in arbitration between states and private persons) 427

McBain (Cons. Ed.): Butterworths Banking Law Handbook 428
Nordqvist, Rosenne and Yankov (Eds.): United Nations Convention on the Law of the Sea 1982: A Commentary: Vol. IV 429
Lewis: State and Diplomatic Immunity (3rd Edn.) 430
Cranston (Ed.): Banks—Liability and Risk 432
Hudec: GATT Legal System and World Trade Diplomacy (The) (2nd Edn.) 434
Ganado and Kindred: Marine Cargo Claims 543
Fridman: Torts 544
Lew (Ed.): Immunity of Arbitrators (The) 546
Fernandes and Burke: Annotated Canada Shipping Act (The) 547
Sorkin: Goods in Transit 548
Shirazi (Ed.): Islamic Banking 549
Price Waterhouse: United Kingdom Taxation on the Profits from North Sea Oil (5th Edn.) 550
Yturriaga: Straits used for International Navigation: A Spanish Perspective 552
Oman Chamber of Commerce and Industry: Oman Commercial Law: Royal Decree 55/90 553

Table of Cases

A *v.* C [1981] Q.B. 956 ..... 30, 231
AES Express, The (1990) 20 N.S.W.L.R. 57 329
A.–G. *v.* The Earl of Chesterfield (1854) 18 Beav. 596 364
A.–G. *v.* Wilts United Dairies Ltd. (1921) 37 T.L.R. 884; (1922) 127 L.T. 822 497
A.J. Bekhor & Co. Ltd. *v.* Bilton [1981] Q.B. 923 (C.A.) 30
A.L. Underwood Ltd. *v.* Bank of Liverpool [1924] 1 K.B. 775 (C.A.) 215
ANZ Banking Group Ltd. *v.* Westpac Banking Corp. (1988) 78 A.L.R. 577 373
Abbey National Building Society *v.* Cann [1990] 2 W.L.R. 833 155
Abbey National Building Society *v.* Cann [1991] A.C. 56 ..... 531, 532, 533, 534, 537
Adamastos Shipping Co. Ltd. *v.* Anglo-Saxon Petroleum Co. Ltd. [1959] A.C. 133 114
Adams *v.* Cape Industries Plc [1990] Ch. 433 ..... 240, 241
Adams *v.* Fisher (1838) 2 Keen 754 ..... 360, 363
Adsteam Building Industries P/L *v.* Queensland Cement and Lime Co. Ltd. (No. 4) (1985) 1 Qd. R. 127 244
Agimar S.r.l. *v.* SIAT, 1979 Diritto Marittimo 215 98
Agip (Africa) Ltd. *v.* Jackson [1990] Ch. 265; *affirmed* [1991] 3 W.L.R. 116 ..... 357, 378, 383, 385, 477, 478, 481, 484, 485
Agra and Masterman's Bank *v.* Leighton (1866) L.R. 3 Ex. 56 466
Agricultores Federados Argentinos *v.* Ampro S.A. [1965] 2 Lloyd's Rep. 157 148
Agromet Motoimport Ltd. *v.* Maulden Engineering Co. (Beds) Ltd. [1985] 1 W.L.R. 762 527
Ahmed *v.* Kendrick (1988) 56 P. & C.R. 120 (C.A.) 216
Aikman *v.* Hallet & Co., 20 March 1987, unreported 171
Air Cameroun *v.* Compagnie Maritime des Chargeurs Reunis, 1967 Le Droit Maritime Francais 675 100
Air Canada *v.* British Columbia (1989) 59 D.L.R (4th) 161 ..... 488, 502
Al Taha, The [1990] 2 Lloyd's Rep. 117 80
Alan Estates Ltd. *v.* W.G. Stores Ltd. [1982] Ch. 511 (C.A.) 219, 220
Albazero, The [1977] A.C. 774 204
Albert (Jan) (HK) Ltd. *v.* Shu Kong Factory Ltd. [1990] 1 H.K.L.R. 317 297
Aldora, The [1975] Q.B. 748 111
Aleena Shipping Corp. *v.* Minas X. Kyriakou, 26 March 1986 (unreported) 321
Alev, The [1989] 1 Lloyd's Rep. 138 86
Alexander *v.* Mendl (1870) 22 L.T. (N.S.) 609 523
Aliakmon, The [1986] A.C. 785; [1983] 1 Lloyd's Rep. 203 ..... 5, 141, 197, 198, 443
Alitalia *v.* Union des Assurances de Paris, 1984 Diritto Marittimo 293 99
Allen *v.* Robles Cie Parisienne de Garantie [1969] 2 Lloyd's Rep. 61 439
Alleyne *v.* Darcy (1854) 4 Ir. Ch. Rep. 199; 5 Ir. Ch. Rep. 56 ..... 363, 364, 367, 377
Allonah *v.* The Ship *Amanda N* (1990) 90 A.L.R. 391 (Fed. Ct. Aus.–Gen. Div.) 335
Aluminium Industrie Vaassen B.V. *v.* Romalpa Aluminium Ltd. [1976] 1 W.L.R. 676 ..... 154, 382
Amalgamated Investment & Property Co. Ltd. *v.* John Walker & Sons Ltd. [1977] 1 W.L.R. 164 303
Amalgamated Investment and Property Co. Ltd *v.* Texas Commerce International Bank Ltd. [1982] Q.B. 84 8
Amazonia, The [1989] 1 Lloyd's Rep. 403; 1990 1 Lloyd's Rep. 236 (C.A.) 326
American Accord, The [1983] 1 A.C. 168 43
American Export and Isbrandtsen Lines Inc. *v.* American International Underwriters Italy, 1965 Diritto Marittimo 584 98
American Export Lines Inc. *v.* Fiat, 1966 Diritto Marittimo 149; 1965 AMC 384 98
American Express International Banking Corp. *v.* Hurley [1985] 3 All E.R. 564 35

Amin Rasheed Shipping Corp. *v.* Kuwait Shipping Co. [1984] A.C. 50 320
Amoco Cadiz, The [1984] 2 Lloyd's Rep. 304 (U.S. D.C., N.D. I11., E. Div.) 247
Amoco (UK) Exploration Co. *v.* IRC [1983] S.T.C. 634 551
Anangel Atlas C.N. S.A. *v.* Ishikawajima-Harima Heavy Industries Co. Ltd. (No. 2) [1990] 2 Lloyd's Rep. 526 305
Anns *v.* Merton London Borough Council [1978] A.C. 728 ..... 182, 507, 545
Antares, The [1987] 1 Lloyd's Rep. 424; [1986] 2 Lloyd's Rep. 633 ..... 70, 95
Anticlizo, The [1988] 1 W.L.R. 603 132
Arab Monetary Fund *v.* Hashim and others (No. 3) [1991] 2 W.L.R. 729 431
Aragon, The. 15 April 1987; noted [1989] LMCLQ 143 61
Aramis, The [1989] 1 Lloyd's Rep. 213; noted [1989] LMCLQ 162 ..... 5, 86, 196, 197, 198, 202, 459
Archer *v.* Lavendar (1875) 9 I.R. Eq. 220 367
Arenson *v.* Arenson and Casson, Beckman, Rutley & Co. [1977] A.C. 405 ..... 514, 546
Argo Hellas, The [1984] 1 Lloyd's Rep. 296 519
Arkwright Mutual Insurance Co. *v.* Bryanston Insurance Co. [1990] 2 All E.R. 335 11
Armar Shipping Co. Ltd. *v.* Caisse Algerienne [1981] 1 W.L.R. 207 321
Armour *v.* Thyssen Edelstahlwerke A.G., 1986 S.L.T. 94; 1989 S.L.T. 182; [1990] 3 W.L.R. 810 ..... 154, 155, 158, 159, 160, 531, 534
Arnold (R.M.) Ltd. (*Re*) [1984] B.C.L.C. 535 ..... 532, 533
Arta, The [1985] 1 Lloyd's Rep. 534; [1983] 2 Lloyd's Rep. 405 440
Ashington Piggeries Ltd. *v.* Christopher Hill Ltd. [1972] A.C. 441 (H.L.) 56
Ashtiani *v.* Kashi [1987] Q.B. 888 ..... 233, 234, 235
Ashville Investments Ltd. *v.* Elmer Contractors Ltd. [1989] Q.B. 488 523
Aspen Trader, The [1981] 1 Lloyd's Rep. 273 18
Aspey (*ex p.*) (1791) 3 Bro. C.C. 265 375
Associated Japanese Bank International Ltd. *v.* Credit du Nord S.A. [1990] 1 W.L.R. 255 ..... 298, 322
Assunzione, The [1954] P. 150 323
Atlantic Shipping & Trading Co. Ltd. *v.* Louis Dreyfus & Co. [1922] 2 A.C. 250 515
Att.-Gen. *v.* Corp. of Leicester (1844) 7 Beav. 176 365
Attorney-General for Hong Kong *v.* Humphrey's Estate [1987] 1 A.C. 114 ..... 8, 439
Australia and New Zealand Banking Group *v.* Westpac Banking Corp. (1988) 164 C.L.R. 662 ..... 474, 486
Australian Knitting Mills Ltd. *v.* Grant (1933) 50 C.L.R. 387 (Aust. H.C.) 56
Autostel Pty. Ltd. *v.* Franklins Selfserve Pty. Ltd. (1989) 16 N.S.W.L.R. 582 8
Avon County Council *v.* Howlett [1983] 1 W.L.R. 605 488
Azémar *v.* Casella (1867) L.R. 2 C.P. 431 53

BP Oil Development Ltd. *v.* IRC [1989] S.T.C. 213, reversed [1990] S.C.T. 614 551
Babanaft International Co. S.A. *v.* Bassatne [1990] Ch. 13 ..... 30, 232, 234, 238, 241, 242, 246
Bacon (M.C.) Ltd. (*Re*) [1990] B.C.L.C. 324 537
Baden, Delvaux and Lecuit *v.* Société Générale pour Favoriser le Développement du Commerce et de l'Industrie en France S.A. [1983] B.C.L.C. 325 ..... 369, 389
Baker (G.L.) Ltd. *v.* Medway Building & Supplies Ltd. [1958] 1 W.L.R. 1216 ..... 388, 485
Baker *v.* Ollard & Bentley (1982) 126 S.J. 593 171
Balkan Bulgarian Airlines *v.* Tammaro, 1978 Diritto Marittimo 83 98
Ballabil Holdings Pty. Ltd. *v.* Hospital Products Ltd. [1985] 1 N.S.W.L.R. 155 233
Banco do Brasil S.A. *v. The Alexandros G. Tsavliris* [1990] 3 F.C. 260; (1990) 35 F.T.R. 122; 1990 AMC 2535 (Fed. C.C.) 277
Bank Line Ltd. *v.* Arthur Capel & Co. [1919] A.C. 435 301
Bank of Nova Scotia *v.* Hellenic Mutual War Risks Assn. (Bermuda) Ltd. (*The Good Luck*) [1990] 1 Q.B. 818 (C.A.); [1989] C.L.J. 363 ..... 9, 89
Banque Belge pour l'Etranger *v.* Hambrouck [1921] 1 K.B. 321 ..... 373, 379, 384, 385, 478, 479
Banque Financiere Case [1990] 3 W.L.R. 364 414
Banque Keyser Ullmann S.A. *v.* Skandia (U.K.) Insurance Co. Ltd. (Banque Financiere de la Cite S.A. *v.* Westgate Insurance Co. Ltd.) [1990] 3 W.L.R. 364 (H.L.); [1990] 1 Q.B. 665 ..... 18, 35
Barber *v.* Meyerstein (1870) L.R. 4 H.L. 317 540
Barclays Bank Ltd. *v.* Astley Industrial Trust Ltd. [1970] 2 Q.B. 527 468
Barclays Bank *v.* Comm'rs of Customs [1963] 1 Lloyd's Rep. 81 540
Barclays Bank Ltd. *v.* W.J. Simms Son & Cooke (Southern) Ltd. [1980] Q.B. 677 ..... 295, 379, 491
Barnes *v.* Addy (1874) L.R. 9 Ch. App. 244 ..... 362, 364, 367, 371
Barnes *v.* Youngs [1898] 1 Ch. 414 523

Barnewall (*ex p.*) (1855) 6 De G.M. & G. 801 371
Barrett Bros. (Taxis) Ltd. *v.* Davies [1966] 1 W.L.R. 1334 523
Barrington *v.* Lee [1972] 1 Q.B. 326 2
Bassford (Jackson A.) Ltd (*Re*) [1906] 2 Ch. 467 537
Bateman *v.* Green and King (1868) I.R. 2 Ch. 607 155
Bateman *v.* The Mayor, Aldermen and Burgesses of the Borough of Ashton-under-Lyme (1858) 3 H. & N. 323 212
Bath *v.* Canada (1989) 29 F.T.R. 316 (Fed. C.C.) 273
Bayer A.G. *v.* Winter (No. 3) [1986] 2 F.T.L.R. 111 233
Baylis *v.* Bishop of London [1913] 1 Ch. 127 487
Beeco Invest K/S *v.* Canada [1989] 2 F.C. 110 (Fed. C.A.) 274
Beesly *v.* Hallwood Estates Ltd. [1960] 1 W.L.R. 549; [1961] Ch. 105 (C.A.) 214, 219
Bekhor (A.J.) & Co. Ltd. *v.* Bilton [1981] Q.B. 923 (C.A.) 30
Bell *v.* Lever Brothers Ltd. [1932] A.C. 161 ..... 299, 491, 494
Bell *v.* Peter Browne & Co. [1990] 2 Q.B. 495 169
Bell's Indenture (*Re*) [1980] 1 W.L.R. 1217 377
Belmont Finance *v.* Williams Furniture (No. 2) [1980] 1 All E.R. 393 359
Berge Tasta, The [1975] 1 Lloyd's Rep. 422 173
Berisford (S. & W.) Plc *v.* New Hampshire Insurance Co. [1990] 2 All E.R. 321 11
Berkshire, The [1974] 1 Lloyd's Rep. 185 92
Bernstein *v.* Pamson Motors (Golders Green) Ltd. [1987] 2 All E.R. 220 57
Bhoja Trader, The [1981] 2 Lloyd's Rep. 256 232
Biggerstaff *v.* Rowatt's Wharf Ltd. [1896] 2 Ch. 93 217
Black *v.* Freedman & Co. (1910) 12 C.L.R. 105 387
Black Falcon, The [1991] 1 Lloyd's Rep. 77 174
Blackpool and Fleetwood Tramroad Co. *v.* Bispham with Norbreck U.D.C. [1910] 1 K.B. 592 .. 501
Blackpool and Fylde Aero Club Ltd. *v.* Blackpool Borough Council [1990] 1 W.L.R. 1195 31
Blooming Orchard (No. 2), The (1990) N.S.W.S.C. (No. 000046 of 1990) (unreported) 326
Blundell (*Re*) (1888) 40 Ch. D. 370 ..... 362, 369, 389
Blyth *v.* Fladgate [1891] 1 Ch. 337 361
Board of Trade *v.* Cayzer, Irvine & Co. [1927] A.C. 610 ..... 510, 515, 518, 519, 526, 527
Boardman *v.* Phipps [1967] 2 A.C. 46 ..... 360, 362
Bond Worth Ltd. (*Re*) [1980] 1 Ch. 228 ..... 42, 155, 157, 533, 536, 537
Bonior *v.* A. Spiery Ltd. [1968] N.Z.L.R. 254 465
Borden *v.* Scottish Timber Products [1981] Ch. 25 23
Boulton *v.* Jones (1857) 27 L.J. Ex. 117 292
Bowen *v.* Brecon Railway Co., *ex p.* Howell (1867) L.R. 3 Eq. 541 213
Bowes *v.* Shand (1877) 2 App.Cas. 455 ..... 147, 151, 153
Bowring *v.* Amsterdam London Ins. Co. (1930) 36 Ll. L. Rep. 309 163
Box *v.* Midland Bank Ltd. [1979] 2 Lloyd's Rep. 391 35
Boynton *v.* Richardson [1924] W.N. 262 514
Brandt *v.* Liverpool, Brazil & River Plate S.N. Co. [1924] 1 K.B. 575 (C.A.) 5, 86, 198, 459
Branwhite *v.* Worcester Works Finance Co. [1969] 1 A.C. 552 494
Bremer Handelsgesellschaft M.b.H. *v.* Vanden Avenne Izegem P.V.B.A. [1978] 2 Lloyd's Rep. 109 151
Bremer Vulkan Schiffbau und Maschinenfabrik *v.* South India Shipping Corp. [1981] A.C. 909 .. 515
Brereton *v.* Milstein [1988] V.R. 508 234
Brewer Street Investments *v.* Barclays Woollen Co. [1954] 1 Q.B. 429 36
Bridge *v.* Wain (1816) 1 Stark. 504 53
Bridge Shipping Pty. Ltd. *v.* Grand Shipping S.A. [1991] 1 V.R. 258 335
Bridgman *v.* Gill (1857) 24 Beav. 302 ..... 359, 360, 363, 366
Brinsden *v.* Williams [1894] 3 Ch. 185 ..... 357, 360
Bristol Tramways etc. Carriage Co. *v.* Fiat Motors Ltd. [1910] 2 K.B. 831 (C.A.) 55
Britain & Overseas Trading *v.* Brook's Wharf [1967] 2 Lloyd's Rep. 51 540
British Mutual Banking Co. *v.* Charnwood Forest Railway Co. (1887) 18 Q.B.D. 714 213
British Steel Corp. *v.* Cleveland Bridge & Engineering Ltd. [1984] 1 All E.R. 504 36
Brook *v.* Hook (1871) L.R. 6 Exch. 89 ..... 212, 216
Brown *v.* Edgington (1841) 2 M. & G. 279 53
Brown *v.* Overbury (1856) 11 Exch. 715 528
Bryan *v.* Lewis (1826) Ry. & Moo. 386 ..... 53, 60
Buenos Aires Maru, The [1986] 1 S.C.R. 752 268

Bulkley *v.* Wilford (1834) 2 Cl. & F. 102 371
Bumper Development Corp. *v.* Commissioner of Police of the Metropolis, *The Times*, 14 February 1991 432
Bunge & Co. Ltd. *v.* Tradax England Ltd. [1975] 2 Lloyd's Rep. 235 148
Bunge Corp. *v.* Tradax Export S.A. [1981] 1 W.L.R. 711 (H.L.) 58, 148
Bunge S.A. *v.* Deutsche Conti-Handelsgesellschaft mbH (No. 2) [1980] 1 Lloyd's Rep. 352 528
Burroughes *v.* Baye (1860) 5 H. & N. 296 372
Butler *v.* Broadhead [1975] Ch. 97 485
Butterworth *v.* Kingsway Motors [1954] 1 W.L.R. 1286 ..... 65, 160

C.C.R. Fishing Ltd. *v.* British Reserve Insurance Co. [1990] 1 S.C.R. 814; 1990 AMC 1443; [1991] 1 Lloyd's Rep. 89 (S.C.C.) 276
CTI *v.* Oceanus [1984] 1 Lloyd's Rep. 476 413
C.T.N. Cash and Carry Ltd. *v.* G.A.F.L.A.C. Plc [1989] 1 Lloyd's Rep. 299 439
Caledonian Insurance Co. *v.* Gilmour [1983] A.C. 85 ..... 510, 511, 515, 517, 519
Callisher *v.* Bischoffsheim (1870) L.R. 5 Q.B. 449 307
Caltex Oil *v.* The Dredge *Willemstad* (1976) 136 C.L.R. 529 24
Cammell Laird & Co. *v.* Manganese Bronze and Brass Co. [1934] A.C. 402 (H.L.) 56
Campbell *v.* Hall (1774) 1 Cowp. 204 501
Canadian Imperial Bank of Commerce *v.* Marathon Realty Co. Ltd. (1986) 47 Sask. Rep. 237 ... 534
Canadian National Railway Co. *v.* Norsk Pacific Steamship Co. Ltd. (*The Jervis Crown*) 1989 AMC 1626 (Fed. C.C.); (1990) 65 D.L.R. (4th) 321 (Fed. C.A.) 275
Canfor Ltd. *v. The Federal Saguenay* (1990) 32 F.T.R. 158 (Fed. C.C.) 272
Cap Palos, The [1921] P. 458 77
Caparo Industries *v.* Dickman [1990] 2 W.L.R. 358 20
Capital Finance Co. Ltd. *v.* Stokes [1969] 1 Ch. 261 537
Captain Gregos, The (No. 1) [1990] 1 Lloyd's Rep. 310 198
Captain Gregos, The (No. 2) [1990] LMLN 280 (C.A., 12 July 1990); [1989] 2 Lloyd's Rep. 63; noted [1989] LMCLQ 394; [1990] 2 Lloyd's Rep. 395 (C.A.); noted [1990] LMCLQ 314; noted [1991] LMCLQ 5 ..... 5, 86, 198, 459
Cargo *ex p. Hamburg* (1863) 2 Moore (N.S.) 289 3
Carl Zeiss Stiftung *v.* Herbert Smith & Co. (No. 2) [1969] 2 Ch. 276 ..... 358, 359, 388
Carlill *v.* Carbolic Smoke Ball Co. [1893] 1 Q.B. 256 ..... 33, 187
Carling O'Keefe *v.* CN Marine [1990] 1 F.C. 483; 1990 AMC 997; [1990] E.T.L. 654 (Fed. C.A.) 272
Carus-Wilson and Greene (*Re*) (1886) 18 Q.B D. 7 514
Casden *v.* Cooper Enterprises Ltd. (1990) 33 F.T.R. 190 (Fed. C.C.) 275
Castanho *v.* Brown & Root (U.K.) Ltd. [1981] A.C. 557 237
Castlemaine Tookeys Ltd. *v.* Williams & Hodgson Transport Pty. Ltd. (1986) 162 C.L.R. 395 (H.C.A.) 346
Cave *v.* Cave (1880) 15 Ch.D. 639 479
Cebora SNC *v.* SIP (Industrial Products) Ltd. [1976] 1 Lloyd's Rep. 271 469
Central Electricity Board *v.* Halifax Corp. [1963] A.C. 785 ..... 509, 511
Chanda, The [1989] 2 Lloyd's Rep. 494 ..... 70, 94
Chandler *v.* Webster [1904] 1 K.B. 493 300
Chaplin *v.* Hicks [1911] 2 K.B. 786 34
Chapman *v.* Verco (1933) 49 C.L.R. 306 24
Charbonneau *v.* Industries A.C. Davie Inc. [1989] R.J.Q. 1255 (Quebec S.C.) 270
Charge Card Services Ltd. (*Re*) [1987] Ch. 150, aff'd [1989] Ch. 497 131
Chartwell Shipping Ltd. *v.* Q.N.S. Paper Co. Ltd. [1989] 2 S.C.R. 683 268
Chase Manhattan Bank N.A. Ltd. *v.* Israel-British Bank (London) Ltd. [1981] Ch. 105 ....382, 383, 387
Chilcott (D.H. and L.S.) Pty. Ltd. *v. The Lady of the Loch* (1990) Tas. S.C. (No. 47 of 1990) (unreported) 336
Chilton *v.* Saga Holidays Plc [1986] 1 All E.R. 841 132
China Pacific S.A. *v.* Food Corporation of India (*The Winson*) [1982] A.C. 939 3
Choko Star, The [1989] 2 Lloyd's Rep. 42; [1990] 1 Lloyd's Rep. 516 ..... 1, 109
Chrysler Credit Canada Ltd. *v.* Royal Bank of Canada (1987) 50 Sask. Rep. 216 534
Church *v.* Imperial Gas Light and Coke Co. (1838) 6 Ad. & E. 846 210
Church of England Building Society *v.* Piskor [1954] Ch. 553 532
Churchill and Sim *v.* Goddard [1937] 1 K.B. 92 467

Cia Portorafti Commerciale S.A. *v.* Ultramar Panama Inc. (*The Captain Gregos (No. 2)*) [1990] LMLN 280 (C.A., 12 July 1990); [1989] 2 Lloyd's Rep. 63; noted [1989] LMCLQ 394; [1990] 1 Lloyd's Rep. 310 (C.A.); noted [1990] LMCLQ 314 5
Cie Generale Transatlantique *v.* The Marine Insurance Co. Ltd., 1967 Droit Maritime Francais 23 98
Cipriani *v.* Burnett [1933] A.C. 83 528
Clark Equipment of Canada Ltd. *v.* Bank of Montreal (1984) 4 P.P.S.A.C. 38 534
Clarke *v.* Chadburn [1985] 1 W.L.R. 78 30
Clay *v.* A.J. Crump Ltd. [1964] 1 Q.B. 533 ..... 443, 444
Clough Mill *v.* Martin [1985] 1 W.L.R. 111 ..... 23, 155, 157, 159, 160, 531
Clunies Ross *ex p.* Tottesdell (*Re*) (1987) 72 A.L.R. 241 234
Coleman *v.* Bucks & Oxon Union Bank Ltd. [1897] 2 Ch. 243 371
Coleman *v.* Harvey [1989] 1 N.Z.L.R. 723 23
Collins *v.* Locke (1879) 4 App.Cas. 674 510
Colonial Bank *v.* Exchange Bank of Yarmouth, Nova Scotia (1885) 11 App. Cas. 84 380
Comdel Commodities Ltd. *v.* Siporex Trade S.A. [1987] 1 Lloyd's Rep. 325 512
Comdel Commodities Ltd. *v.* Siporex Trade S.A. (No. 2) [1990] 3 W.L.R. 1; [1988] 2 Lloyd's Rep. 590; [1989] 2 Lloyd's Rep. 13 (C.A.) 15
Comdel Commodities Ltd. *v.* Siporex Trade S.A. (No. 2) [1991] 1 A.C. 148; noted [1991] LMCLQ 15 527
Commercial Bank of Australia Ltd. *v.* Amado (1983) 151 C.L.R. 47 433
Commercial Banking Co. of Sydney Ltd. *v.* Mann [1961] A.C. 1 478
Commissioner for Main Roads *v.* Stannard Bros. Launch Services (1990) N.S.W. C.A. (No. 40315/89) (unreported) 338
Compagnie Commerciale Sucres et Denrees *v.* C. Czarnikow Ltd. (*The Naxos*) [1990] 1 W.L.R. 1337, reversing [1989] 2 Lloyd's Rep. 462 ..... 59, 147, 148, 149, 150, 151, 152, 153, 154
Compagnie d'Armement Maritime S.A. *v.* Compagnie Tunisienne de Navigation S.A. [1971] A.C. 572 508
Compagnie Europeene de Cereales S.A. *v.* Tradax Export S.A. [1986] 2 Lloyd's Rep. 301 520
Compania Maritima Villa Nova *v.* Northern Sales Co. Ltd. (1989) 29 F.T.R. 136 (Fed. C.C.) 270
Compania Panamena Europea Navagacion *v.* Frederick Leyland & Co. [1947] A.C. 428 524
Connal *v.* Loder (1868) 6 M. 1095 538
Connolly Bros. Ltd. (*Re*) [1912] 2 Ch. 25 ..... 532, 533, 535, 536
Connolly Shaw Ltd. *v.* A/S Det Nordefjelkske D/S (1934) 49 Ll. L. Rep. 183 76
Continental Seagram Pty. Ltd. *v.* A.B.C. Containerline N.V. Pty. Ltd. (1990) N.S.W. S.C. (No. 12 of 1989) (unreported) 331
Coombs and Barei Constructions Pty. Ltd. *v.* Dynasty Pty. Ltd. (1986) 42 S.A.S.R. 413 234
Cooper (*Re*) (1882) 20 Ch. D. 611 (C.A.) 216
Cope *v.* The Thames Haven Dock & Railway Co. (1849) 3 Ex. 841 214
Cory (Wm.) & Son Ltd. *v.* I.R.C. [1964] 1 W.L.R. 1332 211
Costa *v.* Georghiou (1985) 1 P.N. 201 171
Coughlin *v.* Kuntz (1987) 42 C.C.L.T. 142 544
Coulls *v.* Bagot's Executor & Trustee Co. (1967) 119 C.L.R. 460 (H.C.A.) 8
County Life Assurance Co. (*Re*) (1870) L.R. 5 Ch. App. 288 217
County of Gloucester Bank *v.* Rudry Merthyr Steam and House Coal Colliery Co. [1985] 1 Ch. 629 (C.A.) 215, 217
Coupland *v.* Arabian Gulf Corp. [1983] 1 W.L.R. 1136 316
Coventry Permanent Building Society *v.* Jones [1951] 1 All E.R. 901 ..... 532, 533
Cowan *v.* Spence (1824) 3 S. 42 159
Cowper *v.* Stoneham (1893) L.T. 18 360
Crawshay *v.* Thornton (1837) 2 My. & Cr. 1 ..... 362, 364
Cremer (Peter) Befrechtung G.m.b.H. *v.* Amalgamet Can. Ltd. (1989) 26 F.T.R. 264 (Fed. C.C.) 266
Crosse *v.* Gardner (1688) Carth. 90 52
Cullen *v.* Trappell (1980) 146 C.L.R. 1 308
Cunard Carrier, The [1977] 2 Lloyd's Rep. 261 16
Cundy *v.* Lindsay (1877) 3 App. Cas. 359 ..... 291, 293
Cunliffe-Owen *v.* Teather & Greenwood [1967] 1 W.L.R. 1421 182
Cunningham-Reid and Another *v.* Buchanan-Jardine [1988] 1 W.L.R. 678 523
Currie *v.* Misa (1875) L.R. 10 Exch. 153 465
Curtain Dream Plc *v.* Churchill Merchanting Ltd. [1990] B.C.C. 341 39

Czarnikow *v.* Roth, Schmidt & Co. [1922] 2 K.B. 478 ..... 511, 513, 514, 519, 522

D.H. and L.S. Chilcott Pty. Ltd. *v. The Lady of the Loch* (1990) Tas. S.C. (No. 47 of 1990) (unreported) 336
D.W. Moore & Co. Ltd. *v.* Ferrier [1988] 1 W.L.R. 267 171
D'Arcy *v.* Tamar, Kit Hill, and Callington Railway Co. (1867) L.R. 2 Exch. 158 212
D'Silva *v.* Lister House Development Ltd. [1971] Ch. 17 ..... 209, 214
Daniell *v.* Sinclair (1881) 6 App. Cas. 181 383
Darley Main Colliery Co. *v.* Mitchell (1886) 11 App.Cas. 127 172
Davis *v.* Johnson [1979] A.C. 264 452
Davis *v.* Spurling (1829) 1 Russ. & M. 63; (1829) Tam. 199 366
Davis Contractors Ltd. *v.* Fareham U.D.C. [1956] A.C. 696 299
Dawson *v.* Lord Fitzergerald (1876) 1 Ex. D. 257 508
De Jong P.Z. *v.* Falcon Maritime Management S.A. (Panama) [1989] 2 F.C. 63 (Fed. C.C.) 272
De Leeuw (*Re*) [1922] 2 Ch. 540 216
Deere & Co. *v.* Deutsch Lufthansa A.G., 1984 Diritto Marittimo 169 99
Deichland, The [1990] 1 Q.B. 361; [1989] 2 Lloyd's Rep. 361 (C.A.); reversing [1988] 2 Lloyd's Rep. 454 ..... 446, 447
Delfini, The [1988] 2 Lloyd's Rep. 599; [1990] 1 Lloyd's Rep. 252 ..... 196, 197, 203, 541
Democritos, The [1976] 2 Lloyd's Rep. 149 471
Denco Ltd. *v.* Joinson [1991] I.R.L.R. 63 396
Denilauler *v.* S.n.c. Couchet Frères [1980] E.C.R. 1553 242
Dennant *v.* Skinner [1948] 2 K.B. 164 293
Dennehy *v.* Bellamy [1938] 2 All E.R. 262; (1938) 60 Ll.L. Rep. 269 ..... 517, 520, 522
Deputy Commissioner of Taxation *v.* Zimmerlie [1988] 2 Qd. R. 500 171
Derby & Co. Ltd. *v.* Weldon (No. 1) [1990] Ch. 48 ..... 26, 234
Derby & Co. Ltd. *v.* Weldon (Nos. 3 and 4) [1990] Ch. 65 ..... 26, 232, 234, 239, 242, 243
Derby & Co. Ltd. *v.* Weldon (No. 6) [1990] 1 W.L.R. 1139 (C.A.) 26, 234, 235, 236, 239
Derby Canal Co. *v.* Wilmot (1808) 9 East 360 211
Deutz Engines Ltd. *v.* Terex Ltd. 1984 S.L.T. 273 157
Dey *v.* Pullinger Engineering Co. [1921] 1 K.B. 77 217
Diamond *v.* Graham [1968] 1 W.L.R. 1061 ..... 465, 468
Didisheim *v.* London & Westminster Bank [1900] 2 Ch. 15 238
Dillon *v.* Baltic Shipping Co. (*The Mikhail Lermontov*) [1990] 1 Lloyd's Rep. 579 (N.S.W. S.C.) 337
Dione, The [1975] 1 Lloyd's Rep. 115 ..... 173, 174, 470, 471
Diplock (*Re*) [1948] Ch. 465, *affirmed* as Ministry of Health *v.* Simpson [1951] A.C. 251 ..... 381 383, 386, 387, 485, 491
Doe d., Bank of England *v.* Chambers (1836) 4 Ad. & E. 410 210
Doe d., Garnons *v.* Knight (1826) 5 B. & C. 671 211
Doherty *v.* Liverpool District Hospital, 13 March 1991 (unreported) 309
Dolan *v.* Neligan [1967] I.R. 247 ..... 500, 501
Doleman & Sons *v.* Ossett Corp. [1912] 3 K.B. 257 ..... 509, 510, 514, 525, 526
Dome Petroleum Ltd. *v.* Excelsior Enterprises Inc. (1989) 30 F.T.R. 9 (Fed. C.C.) 267
Dona Mari, The [1974] 1 W.L.R. 341 ..... 5, 462
Donoghue *v.* Stevenson [1932] A.C. 562 474
Dorothy, The ship *v.* Atlantic Consolidated Foods Ltd. (1978) [1979] 1 C.F. 283; [1981] 1 C.F. 783 100
Dove *v.* Banhams Patent Locks Ltd. [1983] 1 W.L.R. 1436 171
Drummond (James) & Sons *v.* E.H. Van Ingen & Co. (1887) 12 App. Cas. 284 (H.L.) 53
Duck *v.* Tower Galvanizing Co. Ltd. [1901] 2 K.B. 314 217
Duke of Albans *v.* Shore (1789) 1 H. Bl. 270 (C.P.) 59
Du Pont (E.I.) de Nemours & Co. *v.* Agnew [1987] 2 Lloyd's Rep. 585 321
Dunelmia, The [1970] 1 Q.B. 289 ..... 199, 331
Dunlop *v.* Lambert (1839) 6 Cl. & F. 600 204

E.F. Hutton & Co. (London) Ltd. *v.* Mofarrij [1989] 1 W.L.R. 488 469
E.I. du Pont de Nemours & Co. *v.* Agnew [1987] 2 Lloyd's Rep. 585 321
Eagle, The [1977] 2 Lloyd's Rep. 70 338
Eagle Star Insurance Co. Ltd. *v.* Yuval Insurance Co. Ltd. [1978] 1 Lloyd's Rep. 357 512
Eagle Trust Plc *v.* S.B.C. Securities, 15 January 1991 (unreported) 374, 389

Eagle Trust Plc *v.* S.B.C. Securities [1991] *The Financial Times*, 5 February 485
Eastern Saga, The [1984] 2 Lloyd's Rep. 373 132
Eddis *v.* Chichester Constable [1969] 1 All E.R. 566, affirmed [1969] 2 Ch. 345 485
Edlefern Pty. Ltd. *v.* Flatford Investments Pty. Ltd., 27 July 1988, unreported (N.S.W. Supp. Ct.) 171
Edwards *v.* Aberayron Mutual Ship Insurance Society Ltd. (1876) 19 Q.B.D. 563 .....508, 509, 510, 511, 514, 517, 519, 520, 525
Elders Pastoral Ltd. *v.* Bank of New Zealand [1989] 2 N.Z.L.R. 180 387
Elders Pastoral Ltd. *v.* Bank of New Zealand (No. 2) [1990] 1 W.L.R. 1478 535
Elderslie Steamship *v.* Borthwick [1905] A.C. 93 115
Elli 2, The [1985] 1 Lloyd's Rep. 107 (C.A.) 5, 462
Emerald Stainless Steel Ltd. 1983 S.L.T. 162 157
Eric Holmes Ltd. (*Re*) [1965] Ch. 1052 537
Esso Petroleum *v.* Mardon [1976] Q.B. 801 (C.A.); [1975] Q.B. 819 ..... 21, 471
Ets. Soules & Cie *v.* International Trade Development Co. Ltd. [1979] 2 Lloyd's Rep. 122; [1980] 1 Lloyd's Rep. 129 (C.A.) 16
Eugenia, The [1964] 2 Q.B. 226 302
European Grain and Shipping Ltd. *v.* Dansk Landbrugs Grovvareslskab [1986] 1 Lloyd's Rep. 163 17
Eurymedon, The [1975] A.C. 154 .....8, 463
Evans (J.) *v.* Andrea Merzario [1976] 1 W.L.R. 1078 92
Evans Marshall & Co. Ltd. *v.* Bertola [1973] 1 W.L.R. 349 323
Evia, The [1981] 2 Lloyd's Rep. 613 176
Evia, The (No. 2) [1981] 2 Lloyd's Rep. 613; [1983] 1 A.C. 736 (H.L.) 176
Ewing (William) *v.* Dominion Bank (1904) 25 S.C.R. 133 21
Ex p. Aspey (1791) 3 Bro. C.C. 265 375
Ex p. Barnewall (1855) 6 De G.M. & G. 801 371
Ex p. James (1874) L.R. 9 Ch. App. 609 501

FTC *v.* Morton Salt (1948) 334 U.S. 37 (U.S.S.C.) 353
Fairtitle *v.* Gilbert (1787) 2 T.R. 169 213
Fanti, The [1987] 2 Lloyd's Rep. 299 .....512, 523
Fanti, The and the *Padre Island* [1990] 2 W.L.R. 78 (H.L.) 86
Felicie, The [1990] 2 Lloyd's Rep. 21 .....512, 520
ffrench's Estate (*Re*) (1887) 21 L.R. (Ir.) 283 479
Fibrosa Spolka Akcyjna *v.* Fairbairn Lawson Combe Barbour Ltd. [1943] A.C. 32 (H.L.) 64, 475
Filiatra Legacy, The [1990] 1 Lloyd's Rep. 354 .....197, 462
Finlay *v.* Liverpool & Gt. Western S.S. Co. (1870) 23 L.T. 251 541
Firma C-Trade S.A. *v.* Newcastle Protection and Indemnity Association (*The Fanti*) [1987] 2 Lloyd's Rep. 299 .....512, 523
First National Securities Ltd. *v.* Jones [1978] Ch. 109 (C.A.) 218
Foran *v.* Wright (1989) 168 C.L.R. 385 433
Forman *v.* Wright (1851) 11 C.B. 481 466
Forsikringsaktieselskapet Vesta *v.* Butcher [1986] 2 Lloyd's Rep. 179; [1989] A.C. 852; noted [1987] LMCLQ 10; noted [1988] LMCLQ 5 457
Forster *v.* Outred [1982] 1 W.L.R. 86 .....171, 545
Foxton *v.* Manchester & Liverpool District Banking Co. (1881) 44 L.T. 406 366
Franklin *v.* Neate (1844) 13 M. & W. 481 540
Franklin Mint Corp. *v.* Trans World Airlines, 1982 AMC 818 (2nd Cir.) 99
Frederick Huber and Sons *v.* The *Nadezhda Obukhova* (1989) 29 F.T.R. 154 (Fed. C.C.) 265
Freeman & Lockyer *v.* Buckhurst Park Properties (Mangal) Ltd. [1964] 2 Q.B. 480 2
Freshwater *v.* Western Australian Assurance Co. Ltd. [1933] 1 K.B. 515 ..... 510, 514, 519, 520
Fung Kai Sun *v.* Chan Fui Hing [1951] A.C. 489 (P.C.) 21, 217
Furness Withy (Australia) Pty. Ltd. *v.* Metal Distributors (U.K.) Ltd. (*The Amazonia*) [1989] 1 Lloyd's Rep. 403; 1990 1 Lloyd's Rep. 236 (C.A.) 326
Fyler *v.* Fyler (1840) 3 Beav. 550 .....363, 365

G.L. Baker Ltd. *v.* Medway Building & Supplies Ltd. [1958] 1 W.L.R. 1216 .....388, 485
G.W.R. *v.* London and County Banking [1901] A.C. 414 293
Gadsden (J.) Pty, Ltd. *v.* Strider 1 Ltd. (*The AES Express*) (1990) 20 N.S.W.L.R. 57 329
Galatia, The [1980] 1 W.L.R. 495 141

Gardiner *v.* Gray (1815) 4 Camp. 144 53
Gardner Smith Pty. Ltd. *v.* The Ship *Tomoe 8* (1990) 19 N.S.W.L.R.588; (1989) 17 N.S.W.L.R. 635; 1990 2 Lloyd's Rep. 178 330
Gartside *v.* Silkstone and Dodworth Coal and Iron Co. (1882) 21 Ch. D. 762 211
Gas Float Whitton No. 2, The [1897] A.C. 337 108
General Accident Fire & Life Corp. *v.* Tanter (*The Zephyr*) [1984] 1 Lloyd's Rep. 58 455
General Capinpin, The [1989] 1 Lloyd's Rep. 232 128
George Inglefield Ltd. (*Re*) [1933] 1 Ch. 1 41
George Whitchurch Ltd. *v.* Cavanagh [1902] A.C. 117 296
Getreide-Import GmbH *v.* Contimar S.A. Compania Industrial Comercial y Maritima [1953] 1 W.L.R. 793 522
Gibbs *v.* Messer [1891] A.C. 248 (P.C.) 216
Gill & Duffus *v.* Berger [1984] A.C. 382 140
Gillespie *v.* Elliot [1987] 2 Qd. R. 507 171
Glaholm *v.* Hays (1841) 2 M. & G. 257 152
Glasgow Assurance *v.* Symondson (1911) 16 Com. Cas. 109 21
Glasgow Corp. *v.* Lord Advocate, 1959 S.C. 203 ..... 501, 504
Glessing *v.* Green [1975] 1 W.L.R. 863 220
Glyn Mills *v.* East & West India Dock Co. (1882) 7 App. Cas. 591 540
Goddard's Case (1584) 2 Co. Rep. 4b, 5a 209
Gogic *v.* MBP (SA) Pty. Ltd. (1990) 53 S.A.S.R. 394 (S.A.S.C.) 308
Goldean Falcon, The [1990] 2 Lloyd's Rep. 366 339
Golding *v.* London & Edinburgh Insurance Co. Ltd. (1932) 43 Ll.L. Rep. 487 522
Goldman *v.* Thai Airways International Ltd. [1983] 1 W.L.R. 1186 ..... 166, 169
Good *v.* Ash (1673) 3 Keble 307 (sub. nom. Anon 1 Vent. 257) 211
Good Luck, The [1990] 1 Q.B. 818 (C.A.); [1989] C.L.J. 363 ..... 9, 89, 413
Good Luck, The [1991] 2 W.L.R. 1279; [1989] 2 Lloyd's Rep. 238; [1988] 1 Lloyd's Rep. 514; noted [1988] LMCLQ 27 ..... 437, 440, 441
Goodbody *v.* Bank of Montreal (1974) 47 D.L.R. (3d) 335 387
Goring, The [1988] A.C. 831 108
Governors and Guardians of the Foundling Hospital *v.* Crane [1911] 2 K.B. 367 212
Governors of Peabody Donation Fund *v.* Sir Lindsay Parkinson [1985] A.C. 210 20
Grant *v.* Norway (1851) 10 C.B. 665 ..... 141, 200, 206
Gray *v.* Johnston (1868) L.R. 3 H.L. 1 ..... 365, 371
Great Atlantic and Pacific Tea (1979) 1 U.S.T.C. 62, 475 (U.S.S.C.) 354
Great Lakes Towing Co. *v.* North Central Maritime Corp. (1990) 67 D.L.R. (4th) 646 (Fed. C.A.) 278
Greenwood *v.* Martins Bank Ltd. [1932] 1 K.B. 371; [1993] A.C. 51 ..... 21, 216, 217
Griffith *v.* Brymer (1903) 19 T.L.R. 434 300
Grugeon *v.* Gerrard (1840) 4 Y. & C. 119 211
Gudermes, The [1991] 1 Lloyd's Rep. 456 ..... 198, 459
Gueret *v.* Audouy (1893) 62 L.J.Q.B. 633 519
Guinness Plc *v.* Saunders [1990] 2 A.C. 663 ..... 473, 487, 494
Gurney *v.* Behrend (1854) 3 E. & B. 622 539

H.A.K. Hajee Hussain *v.* The Great Eastern Shipping Co. [1960] Indian L.R. 1028 100
H. Smith Packing Corp. *v.* Gainvir Transport Ltd. (1989) 61 D.L.R. (4th) 489 (Fed. C.A.) 267
Hadley *v.* Droitwich Construction Co. [1968] 1 W.L.R. 37 440
Hadmor Productions Ltd. *v.* Hamilton [1983] 1 A.C. 191 452
Hagen *v.* Zeehaghe, Case C-365/88 (Judgment of the First Chamber, 15 May 1990, Holland) 12
Hain *v.* Tate & Lyle (1936) 41 Com. Cas. 350; (1933) 39 Com. Cas. 103; (1934) 39 Com. Cas. 259 78
Halfhide *v.* Fenning (1788) 2 Bro. C.C. 336 516
Hall *v.* Cazenove (1804) 4 East 477 209
Hall *v.* Palmer (1844) 3 Hare 532 211
Hallen *v.* Spaeth [1923] A.C. 684 ..... 510, 515
Hamilton & Co. *v.* Mackie & Sons (1889) 5 T.L.R. 677 114
Hammer and Sohne *v.* H.W.T. Realisations Ltd. 1985 S.L.T. 21 157
Hamlyn & Co. *v.* Talisker Distillery [1894] A.C. 202 508
Hansen *et al v. The Ocean Victoria* (1990) 31 F.T.R 264 (Fed. C.C.) 278
Hardman *v.* Booth (1863) 1 H. & C. 803 293

Hardwick Game Farm *v.* Suffolk Agricultural and Poultry Producer's Association Ltd. [1964] 2 Lloyd's Rep. 227; affirmed in part [1966] 1 W.L.R. 287; affirmed on different grounds [1969] 2 A.C. 31 ..... 509, 510, 520
Hardy *v.* Caley (1864) 33 Beav. 365 361
Harlow & Jones *v.* Panex (International) Ltd. [1967] 2 Lloyd's Rep. 509 148
Harris *v.* Nickerson (1873) L.R. 8 Q.B. 286 32
Hartley *v.* Giokas and Avery (1989) 64 Alta. L.R. (2d) 240 (Alb. Q.B.) 276
Harvela Investments Ltd. *v.* Royal Trust Co. of Canada (C.I.) Ltd. [1986] A.C. 207 33
Hasan *v.* Willson [1977] 1 Lloyd's Rep. 431 ..... 465, 467, 468
Hawkins *v.* Clayton (1988) 164 C.L.R. 539 171
Hedley Byrne & Co. Ltd. *v.* Heller & Partners Ltd. [1964] A.C. 465 ..... 21, 182, 507
Hely-Hutchinson *v.* Brayhead Ltd. [1968] 1 Q.B. 549 2
Henderson *v.* Comptoir D'Escompte (1873) L.R. 5 P.C. 253 539
Henrik Sif, The [1982] 1 Lloyd's Rep. 456 ..... 8, 439
Henry *v.* Geoprosco International Ltd. [1976] Q.B. 726 (C.A.) 29
Henry Kendall & Sons *v.* Wm. Lillico & Sons Ltd. [1969] 2 A.C. 31 (H.L.) 56
Her Majesty *v.* Tulloch 1989 AMC 1018 (Fed. C.A.) 276
Herd *v.* Weardale Steel Coal & Coke Co. [1913] 3 K.B. 771 544
Heyman *v.* Darwins Ltd. [1942] A.C. 356 ..... 510, 515, 519, 520
Hibblewhite *v.* M'Morine (1840) 6 M. & W. 200 212
Hickman & Co. *v.* Roberts [1913] A.C. 229 520
Higgins *v.* Burton (1857) 26 L.J. Ex. 342 293
Hill *v.* Manchester and Salford Water Works Co. (1831) 2 B. & Ad. 544; (1833) 5 B. & Ad. 866 212
Hirsh *v.* Im Thurm (1858) 4 C.B. (N.S.) 569 523
Hobbs Padgett & Co. (Reinsurance) Ltd. *v.* J.C. Kirkland Ltd. and Kirkland [1969] 2 Lloyd's Rep. 547 512
Hoffman *v.* Red Owl Stores (1965) 133 N.W. (2d) 267 36
Hollandia, The [1983] 1 A.C. 565 ..... 96, 508
Hollingworth *v.* Southern Ferries Ltd. (*The Eagle*) [1977] 2 Lloyd's Rep. 70 338
Hollins *v.* Fowler (1875) L.R. 7 H.L. 757 ..... 293, 372
Holmes (Eric) Ltd. (*Re*) [1965] Ch. 1052 537
Holroyd *v.* Marshall (1862) 10 H.L.C. 191 535
Holstencarrier, The (1990) 6 A.N.Z. Insurance Cases Nos. 60–963 333
Holstenracer, The (1990) 6 A.N.Z. Insurance Cases Nos. 60–963 333
Holt *v.* Markham [1923] 1 K.B. 504 487
Home Office *v.* Dorset Yacht Co. Ltd. [1970] A.C. 1004 445
Hong Kong Fir Shipping Co. Ltd. *v.* Kawasaki Kisen Kaisha Ltd. [1962] 2 Q.B. 26 84
Hooper *v.* Exeter Corp. (1887) 56 L.J.Q.B. 457 501
Horne *v.* Midland Ry. (1873) L.R. 8 C.P. 131 440
Horton *v.* Sayer (1859) 4 H. & N. 643 ..... 511, 518
Hospital Products Ltd. *v.* Ballabil Holdings Pty. Ltd. [1984] 2 N.S.W.L.R. 662 232
Houlditch *v.* Donegal (1834) 2 Cl. & F. 470 238
House of Spring Gardens Ltd. *v.* Waite [1984] 10 F.S.R. 277 30
House Property Co. of London Ltd. *v.* London County and Westminister Bank (1915) 84 L.J.K.B. 1846 469
Howard *v.* Patent Ivory Manufacturing Co. (1888) 38 Ch. D. 156 215
Howson *v.* Hancock (1800) 8 T.R. 575 494
Hua Lien, The [1991] 1 Lloyd's Rep. 309 441
Huber (Frederick) and Sons *v.* The *Nadezhda Obukhova* (1989) 29 F.T.R. 154 (Fed. C.C.) 265
Hunt *v.* Maniere (1865) 35 L.J. Ch. 142 372
Hunt *v.* Silk (1804) 5 East 449 64
Hutton (E.F.) & Co. (London) Ltd. *v.* Mofarrij [1989] 1 W.L.R. 488 469

I.T.O. *v.* Miida Electronics Inc. (*The Buenos Aires Maru*) [1986] 1 S.C.R. 752 268
Ian Stach Ltd. *v.* Baker Bosley Ltd. [1958] 2 Q.B. 130 148
Ilich *v.* R. (1987) 162 C.L.R. 110 482
Imperial Bank of Canada *v.* Begley [1936] 2 All E.R. 367 (P.C.) 216
Indian Oil Corp. *v.* Greenstone Shipping S.A. (*The Ypatianna*) [1988] Q.B. 345 24
Industrie Chimiche Italia Centrale and Cerealfin S.A. *v.* Alexander Tsavliris & Sons Maritime Co. (*The Choko Star*) [1989] 2 Lloyd's Rep. 42; [1990] 1 Lloyd's Rep. 516 1

Inglis *v.* Robertson [1898] A.C. 616 ..... 539, 542
Ingram *v.* Little [1961] 1 Q.B. 31 ..... 292, 293
Insurance Corp. of Ireland *v.* Strombus International Insurance Co. [1985] 2 Lloyd's Rep. 138 .. 520
Interfoto Picture Library Ltd. *v.* Stiletto Visual Programmes Ltd. [1989] Q.B. 433 31
International Guano *v.* Robert MacAndrew & Co. [1909] 2 K.B. 360 72
International Sales and Agencies Ltd. *v.* Marcus [1982] 3 All E.R. 551 ..... 358, 388
Interpool Ltd. *v.* Galani [1988] Q.B. 738 241
Intraco Ltd. *v.* Notis Shipping Corp. (*The Bhoja Trader*) [1981] 2 Lloyd's Rep. 256 232
Iron Trade Mutual Ins. Co. Ltd. *v.* J.K. Buckenham [1990] 1 All E.R. 808 171
Islamic Republic of Iran Shipping Lines *v.* Denby [1987] 1 Lloyd's Rep. 367 496
Islander Trucking *v.* Hogg Robinson & Gardner Mountain (Marine) Ltd. [1990] 1 All E.R. 826 171

J. Evans *v.* Andrea Merzario [1976] 1 W.L.R. 1078 92
J. Gadsden Pty. Ltd. *v.* Strider 1 Ltd. (*The AES Express*) (1990) 20 N.S.W.L.R. 57 329
J. Lauritzen A.S. *v.* Wijsmuller B.V. (*The Super Servant Two*) [1990] 1 Lloyd's Rep. 1 305
J. Leslie (Engineers) Ltd. (*Re*) [1976] 1 W.L.R. 292 479
J.H. Rayner (Mincing Lane) Ltd. *v.* Department of Trade and Industry [1990] 2 A.C. 418 431
Jackson *v.* Union Marine Insurance Co. Ltd. (1874) L.R. 10 C.P. 125 300
Jackson A. Bassford Ltd. (*Re*) [1906] 2 Ch. 467 537
Jacobson *v.* Frachon (1927) 138 L.T. 386 239
Jag Shakti, The [1986] A.C. 337 205
Jager *v.* Tolme and Runge and London Produce Clearing House Ltd. [1916] 1 K.B. 939 512
Jalamatsya, The [1987] 2 Lloyd's Rep. 164 335
Jalamohan, The [1988] 1 Lloyd's Rep. 443 86
James Drummond & Sons *v.* E.H. Van Ingen & Co. (1887) 12 App. Cas. 284 (H.L.) 53
James (*ex p.*) (1874) L.R. 9 Ch. App. 609 501
James Miller & Partners *v.* Whitworth Street Estates Ltd. [1970] A.C. 583 321
James Morrison *v.* Shaw, Savill [1916] 2 K.B. 783 73
Jan Albert (HK) Ltd. *v.* Shu Kong Garment Factory Ltd. [1990] 1 H.K.L.R. 317 297
Jennings and Chapman Ltd. *v.* Woodman, Matthews & Co. [1952] 2 T.L.R. 409 36
Jervis Crown, The, 1989 AMC 1626 (Fed. C.C.); (1990) 65 D.L.R. (4th) 321 (Fed. C.A.) 275
Jet Holdings Inc. *v.* Patek [1990] 1 Q.B. 335 240
Jobbins *v.* Capel Court Pty. Ltd. (1989) 91 A.L.R. 314 171
John Snow & Co. Ltd. *v.* D.B.G. Woodcroft & Co. Ltd. [1985] B.C.L.C. 54 156
Johnson *v.* Agnew [1980] A.C. 367 482
Johnston *v.* Boyes [1899] 1 Ch. 73 32
Jones *v.* Bright (1829) 5 Bing. 533 53
Jones *v.* Dunkel (1959) 101 C.L.R. 298 168
Jones *v.* Just (1868) L.R. 3 Q.B. 197 53
Jones *v.* Waring and Gillow [1926] A.C. 670 294
Joseph Thorley Ltd. *v.* Orchis S.S. Co. Ltd. [1907] 1 K.B. 660 71
Julia, The (1947) 80 Ll.L.Rep 653 307
Jureidini *v.* National British and Irish Millers Insurance Co. Ltd. [1915] A.C. 499 ..... 515, 519

Kanchenjunga, The [1990] 1 Lloyd's Rep. 391; noted [1990] LMCLQ 453 ..... 439, 520
Kapetan Markos NL (No. 2), The [1987] 2 Lloyd's Rep. 321 6
Karak Rubber Co. Ltd. *v.* Burden [1972] 1 W.L.R. 602 ..... 357, 389
Keane *v.* Robarts (1819) 4 Madd. 332 363
Keever (*Re*) [1967] 1 Ch. 182 468
Kelly *v.* Solari (1841) 9 M. & W. 54 ..... 381, 382, 491
Kelo, The [1985] 2 Lloyd's Rep. 85 205
Kendall (Henry) & Sons *v.* Wm. Lillico & Sons Ltd. [1969] 2 A.C. 31 (H.L.) 56
Kill *v.* Holisterl (1746) 1 Wils. K.B. 129 516
Kim Mellor Imports Pty. Ltd. *v.* Eurolevant S.p.A. (1986) 7 N.S.W.L.R. 269 326
King's Norton Metal Co. Ltd. *v.* Edridge, Merrett & Co. Ltd. (1897) 14 T.L.R. 98 295
Kingston *v.* Ambrian Investment Co. Ltd. [1975] 1 W.L.R. 161 (C.A.) 219, 220
Kingston Cotton Mill Co. (No. 2) (*Re*) [1986] 2 Ch. 279 22
Kiriri Cotton Co. Ltd. *v.* Dewani [1960] A.C. 192 506
Kitchen *v.* Turnbull (1871) 20 W.R. 253 523
Korea Industry Co. Ltd. *v.* Andoll Ltd. [1990] 2 Lloyd's Rep. 183 43

Kreditbank Cassel G.m.b.H. *v.* Schenkers Ltd. [1927] 1 K.B. 826 ..... 217, 218
Krell *v.* Henry [1903] 2 K.B. 740 300
Kruger Inc. *v.* Baltic Shipping Co. (1989) 57 D.L.R. (4th) 498 (Fed. C.A.) 271
Kum *v.* Wah Tat Bank [1971] 1 Lloyd's Rep. 439 ..... 538, 539, 542
Kyzikos, The [1989] A.C. 1264 128

La Selle's Bicycle World (*Re*) (1990) 13 U.C.C. Rep. Serv. 2d 42 537
La Société du Gaz de Paris *v.* La Société Anonyme de Navigation (Les Armateurs Français) 1926 S.C. 13 (H.L.) 266
Lac Minerals Ltd. *v.* International Corona Resources Ltd. (1989) 61 D.L.R. (4d) 13 36
Lakatoi Express, The (1990) 19 N.S.W.L.R. 285 327
Lake *v.* Simmons [1927] A.C. 487 292
Lambert *v.* Lewis [1982] A.C. 225 ..... 127, 440
Lane Country Escrow Service Inc. *v.* Smith (1977) 560 P. 2d 608 387
Larner *v.* LCC [1949] 2 K.B. 683 295
Lavabre *v.* Wilson (1779) 1 Doug. 4th ed. 284 71
Leduc *v.* Ward (1888) 20 Q.B.D. 475 76
Lee *v.* Sankey (1872) L.R. 15 Eq. 204 ..... 360, 366
Lee *v.* Thompson (1990) 6 P.N. 91 169
Leonidas D. The [1985] 1 W.L.R. 925 439
Leslie (J.) (Engineers) Ltd. (*Re*) [1976] 1 W.L.R. 292 479
Levitt *v.* Hamblett [1901] 2 K.B. 53 182
Lewes Sanitary Steam Laundry Co. Ltd. *v.* Barclay & Co. Ltd. (1906) 22 T.L.R. 737 217
Lewis *v.* Averay [1972] 1 Q.B. 198 293
Liberian Shipping Corp. "Pegasus" *v.* A. King & Sons Ltd [1967] 2 Q.B. 86 16
Libra Shipping and Trading Corp. Ltd. *v.* Northern Sales Ltd. (*The Aspen Trader*) [1981] 1 Lloyd's Rep. 273 18
Lickbarrow *v.* Mason (1793) 1 Sm. LC (13th edn.) 703 540
Liddell's Settlement Trusts (*Re*) [1936] Ch. 365 236
Lifesavers (Australasia) Ltd. *v.* Frigmobile Pty. Ltd. [1983] 1 N.S.W.L.R. 431 332
Lipkin Gorman *v.* Karpnale Ltd. [1987] 1 W.L.R. 987; [1989] 1 W.L.R. 1340; [1991] 3 W.L.R. 10 ..... 295, 373, 383, 386, 388, 473 *et seq.*
Lips, The [1988] A.C. 395 153
Lister *v.* Stubbs (1890) 45 Ch. D. 1 496
Liverpool C.C. *v.* Irwin [1977] A.C. 239 3
Livingston *v.* Ralli (1855) 5 E. & B. 132 525
Lloyd *v.* Grace, Smith & Co. [1912] A.C. 716 (H.L.) 218
Lloyd Steel Co. (Aust.) Pty. Ltd *v.* Jade Shipping S.A. (1985) 1 N.S.W.L.R. 212 336
Lloyds Bank Plc *v.* Rossett [1989] Ch. 350; [1991] A.C. 107 ..... 531, 532, 533
Lockwood *v.* Abdy (1845) 14 Sim. 437 ..... 361, 364
London and Counties Securities *v.* Caplan, 26 May 1978, unreported 245
London County Commercial Reinsurance Office (*Re*) [1922] 2 Ch. 67 494
London Explorer, The [1972] A.C. 1 ..... 174, 470
London Steamship Owner's Mutual Insurance Association Ltd. *v.* Bombay Trading Co. Ltd. (*The Felicie*) [1990] 2 Lloyd's Rep. 21 ..... 512, 520
Longman *v.* Viscount Chelsea [1989] 2 E.G.L.R. 242; (1989) 58 P. & C.R. 189 ..... 209, 214, 215, 221, 222, 224, 228, 229
Lyons (Mark) Pty. Ltd. *v.* Bursill Sportsgear Pty. Ltd. (1987) 75 A.L.R. 581 (E.C.A.) 348

M. & I. Instrument Engineers Ltd. *v.* Varsada 1991 S.L.T. 106 ..... 386, 485
MBP (SA) Pty. Ltd. *v.* Gogic (1991) 65 A.L.J.R. 203 308
M.C. Bacon Ltd. (*Re*) [1990] B.C.L.C. 324 537
MK International Development Co. Ltd. *v.* The Housing Bank [1991] *The Financial Times*, 22 January 463, 469
M Vatan, The [1990] 1 Lloyd's Rep. 336 ..... 109, 113, 115
M/S Aswan Engineering Establishment Co. *v.* Lupdine Ltd. [1987] 1 W.L.R. 1 56
McCartney *v.* McRedie (1799) Mor. App. Sale. No. 1 158
MacDonald *v.* Dennys Lascelles Ltd. (1933) 48 C.L.R. 475 482
Macedo *v.* Stroud [1922] 2 A.C. 330 211
McInerny *v.* Lloyds Bank Ltd. [1974] 1 Lloyd's Rep. 246 440

McInnes *v.* Onslow Fane [1978] 1 W.L.R. 1520 34
McKenzie *v.* British Linen Co. (1881) 6 App. Cas. 82 ..... 21, 217
Mackenzie Mills (a firm) *v.* Buono [1986] B.T.L.C. 399 468
Mackie *v.* European Assurance Co. (1869) 21 L.T. 102 293
MacKinnon *v.* Donaldson, Lufkin & Jenrette Securities Corp. [1986] Ch. 482 244
M'Combie *v.* Davies (1805) 6 East 538 372
M'Leod *v.* Drummond (1810) 17 Ves. 152 364
McRae *v.* Commonwealth Disposals Commission (1951) 84 C.L.R. 377 298
Maguire *v.* Canada, Gillis and Manderson [1990] 1 F.C. 742 (Fed. C.C.) 266
Mahony *v.* East Holyford Mining Co. (1875) L.R. 7 H.L. 869 215
Manchester, Sheffield & Lincolnshire Railway Co. *v.* North Central Wagon Co. (1888) 13 App. Cas. 554 42
Manuel (*Re*) (1975) 507 F. 2d 990; 16 U.C.C. 493 (5th Cir.) 534
Mara *v.* Browne [1896] 1 Ch. 200 368
Maratha Envoy, The [1978] A.C. 1 128
Mareva *v.* International Bulkcarriers Ltd. [1975] 2 Lloyd's Rep. 509 31
Margetts *v.* Perks (1864) 34 L.J. Ch. 109 362
Maritime National Fish Ltd. *v.* Ocean Trawlers Ltd. [1935] A.C. 524 303
Mark Lyons Pty. Ltd. *v.* Bursill Sportsgear Pty. Ltd. (1987) 75 A.L.R. 581 (F.C.A.) 348
Marshall *v.* Sladden (1849) 7 Hare 428 365
Mary Lou, The [1981] 2 Lloyd's Rep. 272 176
Matthew *v.* Maughold Assurance Co. Ltd. (1985) 1 P.N. 142 171
Mavani *v.* Ralli Bros. Ltd. [1973] 1 W.L.R. 468 512
Maw *v.* Pearson (1860) 28 Beav. 196 364
Mayor, Constables and Company of the Merchants of the Staple *v.* The Governor and Company of the Bank of England (1887) 21 Q.B.D. 160 ..... 211, 217, 218
Mayor of Ludlow *v.* Charlton (1840) 6 M. & W. 815 210
Medina *v.* Stoughton (1699) 1 Salk. 210 52
Melton *v.* Walker & Stanger (1981) 125 S.J. 861 171
Mendelssohn *v.* Normand [1970] 1 Q.B. 177 93
Metaxas *v.* *The Galaxias* [1990] 2 F.C. 400; (1990) F.T.R. 40; 1991 AMC 425 (Fed. C.C.) 274
Metcalfe *v.* London, Brighton & S. Coast Ry. (1858) 4 C.B.N.S. 307 8
Metropolitan Water Board *v.* Dick, Kerr & Co. Ltd. [1918] A.C. 119 301
Mexico, The [1990] 1 Lloyd's Rep. 507 128
Michelin Tyre Co. Ltd. *v.* Macfarlane (Glasgow) Ltd. 1917 S.L.T. 205 155
Midland Bank *v.* Brown Shipley & Co. Ltd. [1991] 1 Lloyd's Rep. 576, *sub. nom.* Citibank N.A. *v.* Brown Shipley & Co. Ltd. 291, 497
Midland Silicones Ltd. *v.* Scruttons Ltd. [1962] A.C. 446 271
Mikhail Lermontov, The [1990] 1 Lloyd's Rep. 579 (N.S.W. S.C.); (1990) N.S.W. S.C. (No. 900969 of 1988) 337
Miller (James) & Partners *v.* Whitworth Street Estates Ltd. [1970] A.C. 583 321
Millership *v.* Brookes (1860) 5 H. & N. 797 211
Milner *v.* Field (1850) 5 Exch. 829 513
Milnes *v.* Gery (1807) 14 Ves. Jr. 400 513
Ministry of Health *v.* Simpson [1951] A.C. 251 ..... 360, 375, 487, 489
Ministry of Housing and Local Government *v.* Sharp [1970] 2 Q.B. 223 35
Minories Finance Ltd. *v.* Arthur Young and Bank of England [1989] 2 All E.R. 105 183
Miramar, The [1984] A.C. 676 114
Mitsui & Co. Ltd. *v.* Novorossiysk Shipping Co. (*The Gudermes*) [1991] 1 Lloyd's Rep. 456 459
Monarch S.S. Co. *v.* Karlshamns [1949] A.C. 196 80
Monk Corp. *v.* Island Fertilizers Ltd. (1989) 97 N.R. 384 (Fed. C.A.) 265
Montagu's Settlement Trusts (*Re*) [1987] Ch. 264 ..... 360, 374, 388, 485
Moore and Landauer (*Re*) [1921] 2 K.B. 519 (C.A.) 59
Moore (D.W.) & Co. Ltd. *v.* Ferrier [1988] 1 W.L.R. 267 171
Morgan *v.* Ashcroft [1938] 1 K.B. 49 495
Morgan *v.* Palmer (1824) 2 B. & C. 729 501
Morgan *v.* Stephens (1861) 3 Giff. 226 ..... 370, 371
Morris *v.* Kanssen [1946] A.C. 459 215
Morrison *v.* Universal Marine (1873) L.R. 8 Ex. 197 439
Morrison (James) *v.* Shaw, Savill [1916] 2 K.B. 783 73
Moses *v.* Macferlan (1760) 2 Burr. 1005 ..... 494, 500

Motor Oil Hellas (Corinth) Refineries S.A. *v.* Shipping Corp. of India (*The Kanchenjunga*) [1990] 1 Lloyd's Rep. 391; noted [1990] LMCLQ 453 ..... 439, 520
Mount Royal/Walsh Inc. *v. The Jensen Star* [1990] 1 F.C. 199 (Fed. C.A.) 265
Mount Tomah Blue Metals (*Re*) (1963) 4 F.L.R. 478 33
Mowatt *v.* Castle Steel and Iron Works Company (1886) 34 Ch. D. 58 211
Murdoch & Co. Ltd. *v.* Greig (1889) 16 R. 369 158
Murphy *v.* A.–G. [1982] I.R. 241 505
Murphy *v.* Brentwood District Council [1990] 2 W.L.R. 944; [1990] 3 W.L.R. 414 ..... 172, 182
Murray *v.* Baxter (1914) 18 C.L.R. 622 383
Muter *v.* Baltic Shipping Co. (*The Mikhail Lermontov*) (1990) N.S.W. S.C. (No. 900969 of 1988) (unreported) 337
Mutual Export Corp. *v.* Asia Australian Express Ltd. (*The Lakatoi Express*) (1990) 19 N.S.W.L.R. 285 327
Mutual Life and Citizen's Assurance Co. Ltd. *v.* Evatt [1971] A.C. 793 471
Myler *v.* Fitzpatrick (1822) 6 Madd. 360 ..... 361, 363
Myrto, The [1977] 2 Lloyd's Rep. 243 277

Nadezhda Krupskaya, The [1989] 1 Lloyd's Rep. 518 100
National Australia Bank Ltd. *v.* Dessau [1988] V.R. 251 ..... 234, 237
National Carriers Ltd. *v.* Panalpina (Northern) Ltd. [1981] A.C. 675 299
National Gypsum Co. Inc. *v.* Northern Sales Ltd [1963] 2 Lloyd's Rep. 499 508
National Mercantile Bank Ltd. *v.* Rymill (1881) 44 L.T. 767 372
National Mutual Life Association of Australasia Ltd. *v.* Walsh (1987) 8 N.S.W.L.R. 585 491
National Pari-Mutual Assoc. *v.* The King (1930) 47 T.L.R. 110 501
Navionics *v.* Flota Maritima S.A. (1989) 26 F.T.R. 148 (Fed. C.C.) 269
Naxos, The [1990] 1 W.L.R. 1337, reversing [1989] 2 Lloyd's Rep. 462 ..... 147, 148, 149, 150, 151, 152, 153, 154
Nelson *v.* Larholt [1948] 1 K.B. 339 374
New South Wales Leather Co. Pty. Ltd. *v.* Vanguard Insurance Co. Ltd. (*The Primera Peak, Holstenracer and Holstencarrier*) (1990) 6 A.N.Z. Insurance Cases Nos. 60–963 333
New York Star, The (1980) 144 C.L.R. 300; 1981 1 W.L.R. 138 332
New Zealand Shipping Co. *v.* A.M. Satterthwaite & Co. [1975] A.C. 154 (P.C.) 57
Newdigate *v.* Davy (1694) 1 Ld. Raym. 742 501
Newfoundland Processing Ltd. *v. The South Angela* [1989] 3 F.C. 398 (Fed. C.C.) 278
Newton *v.* Porter (1877) 69 N.Y. 133 387
Nichol *v.* Godts (1854) 10 Ex. 191 53
Nickolson *v.* Knowles (1820) 5 Madd. 47 364
Niedersachsen, The [1983] 1 W.L.R. 1412 (C.A.) 28
Ninemia Maritime Corp. *v.* Trave Schiffahrtsgesellschaft m.b.H. & Co. K.G. (*The Niedersachsen*) [1983] 1 W.L.R. 1412 (C.A.) 28
Nippon Yusen Kaisha *v.* Karageorgis [1975] 1 W.L.R. 1093 31
Nordisk Oversoisk Handelsselskap A/S *v.* Eriksen & Christensen (1920) 5 Ll. L. Rep. 71 150
Norrell (*Re*) (1977) 426 F. Supp. 435; 21 U.C.C. 1185 (M.D. Ga.) 534
North *v.* Marra Developments Ltd. (1981) 148 C.L.R. 42 192
Northern Regional Health Authority *v.* Derek Crouch Construction Co. Ltd. [1984] Q.B. 644 ... 508
Northside Developments Pty. Ltd. *v.* Registrar-General (1990) 64 A.L.J.R. 427; noted (1991) 107 L.Q.R. 14 215
Norway and Asia Lines *v.* Adamjee Jute Mills Ltd. (1981) B.L.D. 152 100
Norwich City Council *v.* Harvey [1989] 1 W.L.R. 828 (C.A.) 57
Noten (T.M.) B.V. *v.* Harding [1989] 2 Lloyd's Rep. 527; [1990] 2 Lloyd's Rep. 283 (C.A.) 162, 163, 164, 165
Nova (Jersey) Knit Ltd. *v.* Kammgarn Spinnerei GmbH [1977] 1 W.L.R. 713 466

O'Brien Glass Industries Ltd. *v.* Cool & Sons Pty. Ltd. (1981) 35 A.L.R. 445 (F.C.); (1983) 77 F.L.R. 441 (Aus. F.C.) 351
Ocean Prince, The 1978 AMC 1786 (U.S. C.A.) 249
Ocean Tramp Tankers Corp. *v.* V/O Sovfracht (*The Eugenia*) [1964] 2 Q.B. 226 302
Oceanic Sun Line Special Shipping Co. Inc. *v.* Fay (1988) 165 C.L.R. 1972 ..... 338, 340
Ogilvie *v.* Western Australian Mortgage Co. [1893] A.C. 257 21
Oliver *v.* Davis [1949] 2 K.B. 727 465

Ontario (695113) Ltd. *v.* Commissioner of Stamps (1990) 53 S.A.S.R. 274 340
Ontario *v.* Pembina Exploration [1989] 1 S.C.R. 206 264
Onward, The, L.R. 4 Adm. & Ecc. 38 2
Orakpo *v.* Manson Investments Ltd. [1978] A.C. 95 ..... 475, 507
Oriental Envoy, The [1982] 2 Lloyd's Rep. 266 128
Osterbek, The [1972] 2 Lloyd's Rep. 341 148
O'Sullivan *v.* M.A.M. Ltd. [1985] Q.B. 428 487

P. Perl (Exporters) Ltd. *v.* Camden L.B.C. [1984] Q.B. 342 445
Padre Island, The [1984] 2 Lloyd's Rep. 408 ..... 512, 524
Pagnan S.p.A. *v.* Tradax Ocean Transportation S.A. [1987] 2 Lloyd's Rep. 342 115
Paolo Scerni S.A.S. *v.* Northern Assurers Co. Ltd., 1984 Diritto Marittimo 877 99
Parkinson *v.* Lee (1802) 2 East 314 53
Parkwood Eggs Case (1978) ATPR paras. 40–081 (F.C.A. (Full Court)) 348
Paul *v.* National S.S. Co. (1937) 43 Com.Cas. 68 205
Pavey & Matthews Pty. Ltd. *v.* Paul (1987) 163 C.L.R. 221 ..... 474, 475
Peonia, The [1991] 1 Lloyd's Rep. 100 ..... 173, 174, 175, 176
Pelegrin *v.* Coutts & Co. [1915] 1 Ch. 696 238
Pembina Resources Ltd. *v.* ULS International Inc. [1990] 1 F.C. 666 (Fed. C.C.) 273
Pena Copper Mines Ltd. *v.* Rio Tinto Co. Ltd. (1911) 105 L.T. 846 ..... 509, 510
Peonia, The [1991] 1 Lloyd's Rep. 100; noted [1991] LMCLQ 173 ..... 470, 471
Pergo, The [1987] 1 Lloyd's Rep. 582 111
Perl (P.) (Exporters) Ltd. *v.* Camden L.B.C. [1984] Q.B. 342 445
Persson *v.* London Country Buses [1974] 1 W.L.R. 569 528
Perry *v.* Zissis [1977] 1 Lloyd's Rep. 607 ..... 237, 239
Peter Cremer Befrechtung G.m.b.H. *v.* Amalgamet Can. Ltd. (1989) 26 F.T.R 264 (Fed. C.C.) 266
Phibio Energy Inc. *v.* Coastal (Bermuda) Ltd. (*The Aragon*), 15 April 1987; noted [1989] LMCLQ 143 61
Phillips *v.* Eyre (1870) L.R. 6 Q.B. 1 277
Photo Production Ltd. *v.* Securicor Transport Ltd. [1980] A.C. 827 ..... 90, 332, 440
Pirelli General Cable Works Ltd. *v.* Oscar Faber & Partners [1983] 2 A.C. 1 171
Pittalis *v.* Sherefettin [1986] Q.B. 868 510
Pittsburgh, Cincinatti, Chicago & St. Louis Ry. Co. *v.* Fink (1919) 250 U.S. 577 6
Playa Larga, The [1983] 2 Lloyd's Rep. 171 (C.A.) 307
Po, The [1991] 2 Lloyd's Rep. 206 446
Pollway Ltd. *v.* Abdullah [1974] 1 W.L.R. 493 467
Pordage *v.* Cole (1669) 1 Wms. Saund. 319 67
Port Jackson Stevedoring Pty. Ltd. *v.* Salmond & Spraggon (Australia) Ltd. (*The New York Star*) (1980) 144 C.L.R. 300; 1981 1 W.L.R. 138 332
Portock *v.* Gardner (1842) 1 Hare 594 375
Post Chaser, The [1981] 2 Lloyd's Rep. 695 ..... 152, 487
Powell *v.* London and Provincial Bank [1893] 2 Ch. 555 (C.A.) 212, 222
Powell *v.* Thompson [1991] 1 N.Z.L.R. 597 485
President of India *v.* Metcalfe Shipping Co. Ltd. (*The Dunelmia*) [1970] 1 Q.B. 289 331
Primera Peak, The (1990) 6 A.N.Z. Insurance Cases Nos. 60–963 333
Prince of Wales Assurance Society *v.* The Athenaeum Assurance Society (1858) 31 L.T. (O.S.) 149 217
Provincial Ins. Co. *v.* Morgan [1933] A.C. 240 438
Punjab National Bank *v.* De Boinville [1991] *The Financial Times*, 5 June 459
Pyrene *v.* Scindia Navigation [1954] 2 Q.B. 402 ..... 140, 463

Qantas Airways Ltd. *v.* S.S. Pharmaceutical Co. Ltd. [1991] 1 Lloyd's Rep. 288 (N.S.W. C.A.); [1989] 1 Lloyd's Rep. 319 (Sup. Ct., N.S.W.); noted [1989] LMCLQ 145 ..... 165, 166
Queen (The) in Right of Ontario *v.* Ron Engineering & Construction Eastern Ltd. (1981) 119 D.L.R. (3d) 267 35
Queensland Wire Industries Pty. Ltd. *v.* Broken Hill Pty. Co. Ltd. (1989) 167 C.L.R. 177 (H.C.A.) 347
Quinn *v.* Burch Bros. [1966] 2 Q.B. 370 440

R. *v.* Gold & Shifreen [1988] A.C. 1063 398

R. *v.* Gray [1900] 2 Q.B. 36 241
R. *v.* I.R.C., *ex p.* Woolwich Building Society [1987] S.T.C. 654 498
R. *v.* Panel on Take-Overs and Mergers, *ex p.* Datafin Plc [1987] Q.B. 815 183
R. *v.* Panel on Take-Overs and Mergers, *ex p.* Guinness Plc [1989] 2 W.L.R. 863 183
R. *v.* Rochdale Metropolitan B.C., *ex p.* Cromer Ring Mill Ltd. [1982] R.V.R. 113 500
R. *v.* Tower Hamlets L.B.C., *ex p.* Chetnik Developements Ltd. [1988] A.C. 858 .....486, 500, 503
R. *v.* Whiteley, *The Times*, 6 February 1991 .....396, 397
R.H. Willis & Son *v.* British Car Auctions Ltd. [1978] 1 W.L.R. 439 372
R.M. Arnold Ltd. (*Re*) [1984] B.C.L.C. 535 532
Rae *v.* Meek (1889) 14 App. Cas. 558 368
Randall *v.* Newson (1877) 2 Q.B.D. 102 (C.A.) 53
Rasu Maritima S.A. *v.* Perusahaan Pertambangan [1978] Q.B. 644 31
Rayner (J.H.) (Mincing Lane) Ltd. *v.* Department of Trade and Industry [1990] 2 A.C. 418 431
Reading *v.* Att.-Gen. [1952] A.C. 507 507
Reckitt *v.* Barnett, Pembroke & Slater [1929] A.C. 176 374
Reg. *v.* I.R.C. *ex p.* Woolwich Equitable Building Society [1990] 1 W.L.R. 1400 .....473, 499
Republic of Haiti *v.* Duvalier [1990] Q.B. 202 ..... 30, 234
Richard Adler (T/A Argo Rederei) *v.* Soutos (Hellas) Maritime Corp. (*The Argo Hellas*) [1984] 1 Lloyd's Rep. 296 519
Richards *v.* Stark [1911] 1 K.B. 296 494
Richardson Greenshields of Canada (Pacific) Ltd. *v.* Keung Chak-Kiu and Hong Kong Futures Exchange Ltd. [1989] 1 H.K.L.R. 476; noted [1990] 2 J.I.B.L. N–40 190
Ridley Terminals Inc. *v.* Minette Bay Ship Docking Ltd. (1990) 70 D.L.R. (4th) 148 (B.C. C.A.) 269
Rilland, The [1979] 1 Lloyd's Rep. 455 111
Robertson & Baxter *v.* Inglis (1897) 24 R. 758 538
Robinson *v.* Fenner [1913] 3 K.B. 835 240
Robinson *v.* Mollet (1875) L.R. 7 H.L. 802 182
Robinson, McLaren *v.* Public Trustee (*Re*) [1911] 1 Ch. 502 485
Rockwell Graphic Systems Ltd. *v.* Fremantle Terminals Ltd. (1990) W.A. S.C. (No. 2169 of 1987) (unreported) 332
ROFA Sport Management A.G. *v.* DHL International (U.K.) Ltd. [1989] 1 W.L.R. 902 509
Rogers *v.* Ingham (1876) 3 Ch. D. 351 383
Rogers *v.* Parish Motors (Scarborough) Ltd. [1987] Q.B. 933 (C.A.) 57
Rolfe *v.* Gregory (1864) 34 L.J. Ch. 274 371
Rolled Steel Products (Holdings) Ltd. *v.* British Steel Corp. [1986] Ch. 246 (C.A.) 216
Rondegger *v.* Holmes (1866) L.R. 1 C.P. 679 523
Roper *v.* Lendon (1859) 1 E. & E. 825 508
Rosa S, The [1988] 2 Lloyd's Rep. 574 99
Roscorla *v.* Thomas (1842) 3 Q.B. 234 52
Rose *v.* Colvilles 1950 S.L.T. (Notes) 72 417
Ross *v.* Caunters [1980] Ch. 297 35
Roussel-Uclaf *v.* G.D. Searle & Co. [1978] 1 Lloyd's Rep. 225 .....509, 529
Routledge *v.* Burrell (1789) 1 Hy. Bl. 255 223
Rover International Ltd. *v.* Cannon Film Sales Ltd. [1989] 1 W.L.R. 912 494
Rowe *v.* B. & R. Nominees Pty. Ltd. [1964] V.R. 477 216
Rowland *v.* Divall [1923] 2 K.B. 500 (C.A.) 65
Rowlandson *v.* National Westminster Bank Ltd. [1978] 1 W.L.R. 798 389
Royal Bank of Canada *v.* Pioneer Property Management Ltd. [1987] 2 W.W.R. 445 533
Royal British Bank *v.* Turquand (1856) 6 E. & B. 327 215
Royscott Trust Ltd. *v.* Rogerson [1991] 3 W.L.R. 57 440
Ruben *v.* Great Fingall Consolidated [1906] A.C. 439 216
Rural Municipality of Storthoaks *v.* Mobil Oil (Canada) Ltd. (1975) 55 D.L.R. 3d 1 486
Rushingdale Ltd. S.A. *v.* Byblos Bank S.A.L. [1985] P.C.C. 342 219
Russell *v.* Pellegrini (1856) 28 L.T. (O.S.) 121 516
Russell *v.* Russel (1880) 14 Ch. D. 471 523

S. & W. Berisford Plc *v.* New Hampshire Insurance Co. [1990] 2 All E.R. 321 11
S.C.A. (Freight) Ltd. *v.* Gibson [1974] 2 Lloyd's Rep. 533 ..... 39, 334
S.E.A. *v.* St. Paul Fire & Marine Insurance Co., 1983 Diritto Marittimo 547 99
S.I.A.T. di del Ferro *v.* Tradax [1978] 2 Lloyd's Rep. 470 202

S.p.A. Carniti & Co. *v.* S.p.A. Comesmar, 1979 Diritto Marittimo 90; 1981 Diritto Marittimo 60; 1984 Diritto Marittimo 864 98
S.p.A. Fratelli Borletti *v.* Agenzia Marittima Dolphin, 1982 Diritto Marittimo 687 99
S.S. Pharmaceutical Co. Ltd. *v.* Qantas Airways Ltd. [1989] 1 Lloyd's Rep. 319 100
S/S Steamship Co. *v. The Alchatby* (1989) 101 N.R. 384 (Fed. C.A.) 268
Sabah Flour and Feedmills SDN BHD *v.* Comfez Ltd. [1988] 2 Lloyd's Rep. 18 114
Sabemo Pty. Ltd. *v.* North Sydney Municipal Council [1977] 2 N.S.W.L.R. 880 36
Sadler *v.* Evans (1764) 4 Burr. 1984 373
Saffron Walden Second Benefit Building Society *v.* Rayner (1880) 14 Ch. D. 406 360
Said *v.* Butt [1920] 3 K.B. 497 292
San Nicholas, The [1976] 1 Lloyd's Rep. 8 198
Sandeman & Sons *v.* Tyzack & Branfoot S.S. Co. Ltd. [1913] A.C. 680 23
Sandiford (No. 2) (*Re*) [1935] Ch. 681 382
Sanix Ace, The [1987] 1 Lloyd's Rep. 465 205
Sara D, The [1989] 2 Lloyd's Rep. 277 ..... 70, 88, 152, 153
Saronic Shipping Co. Ltd. *v.* Huron Liberian Co. [1979] 1 Lloyd's Rep. 341, *affirmed* [1980] 2 Lloyd's Rep. 26 295
Saville *v.* Tancred (1748) 3 Sw. 158 372
Scaptrade, The [1983] 2 A.C. 694 439
Schemmer *v.* Property Resources Ltd. [1975] Ch. 273 238
Scott *v.* Avery (1856) 5 H.L. Cas. 811 ..... 508 *et seq.*
Scott *v.* Brown, Doering, McNab & Co. [1892] 2 Q.B. 724 192
Scott *v.* Liverpool Corp. (1858) 3 De G. & J. 334 ..... 509, 510
Sea Pioneer, The [1982] 1 Lloyd's Rep. 13 128
Seager *v.* Copydex (No. 2) [1969] 1 W.L.R. 809 36
Sears Ltd. *v.* Ceres Stevedoring Co. Ltd. (1988) 88 N.R. 296 (Fed. C.A.) 271
Sears Ltd. *v.* Murmansk Shipping Co. (1988) 97 N.R. 232 (Fed. C.A.) 271
Sebel Products Ltd. *v.* Commissioners of Customs and Excise [1949] Ch. 409 ..... 499, 501
Security Trust Co. *v.* Royal Bank of Canada [1976] A.C. 503 ..... 532, 533, 535
Selangor United Rubber Estates Ltd. *v.* Cradock (No. 3) [1968] 1 W.L.R. 1555 ..... 357, 388, 389, 485
Sembawang Reefer Lines (Bahamas) Ltd. *v. The Lina Erre* [1990] E.T.L. 35 (Fed. C.C.) 274
Sevonia Team, The [1983] 2 Lloyd's Rep. 640 198
Sewell *v.* Burdick (1884) 10 App.Cas. 74 ..... 207, 541
Seymour (*Re*) [1913] 1 Ch. 475 212
Sharp *v.* Christmas (1892) 8 T.L.R. 687 147
Shearson Lehman Hutton Inc. *v.* Maclaine Watson & Co. Ltd. [1989] 2 Lloyd's Rep. 570 ..... 183, 189
Shepherd & Co. Ltd. *v.* Jerrom [1987] Q.B. 301 302
Shibamoto & Co. *v.* Western Fish Producers (1989) 63 D.L.R. (4th) 549 (Fed. C.A.) 267
Simaan General Contracting Co. *v.* Pilkington Glass Ltd. (No. 2) [1988] Q.B. 758 443
Simon, Haynes, Barlas & Ireland *v.* Beer (1945) 78 Ll.L. Rep. 337 439
Simpson (*Re*) (1966) 4 U.C.C. Rep. Serv. 245 (W.D. Mich.) 534
Singer *v.* Harrison Clark, 15 April 1987, unreported 170
Six nine five one one three Ontario Ltd. *v.* Commissioner of Stamps (1990) 53 S.A.S.R. 274 340
Slater *v.* Burnley Corp. (1888) 59 L.T. 636; (1889) 53 J.P. 535 501
Slingsby *v.* District Bank Ltd. [1931] 2 K.B. 588 218
Smith *v.* Eric S. Bush [1990] A.C. 831 ..... 20, 127, 452
Smith *v.* Jameson (1794) 5 T.R. 601 375
Smith *v.* Littlewoods Organisation [1987] A.C. 241 ..... 440, 445
Smith *v.* Pearl Assurance Co. Ltd. (1939) 63 Ll.L. Rep. 1 520
Smith (H.) Packing Corp. *v.* Gainvir Transport Ltd. (1989) 61 D.L.R. (4th) 489 (Fed. C.A.) 267
Smith (*Re*) (1892) 67 L.T. 64 (C.A.) 218
Smyth *v.* Bailey [1940] 3 All E.R. 60 541
Snow (John) & Co. Ltd. *v.* D.B.G. Woodcroft & Co. Ltd. [1985] B.C.L.C. 54 156
Soar *v.* Ashwell [1892] 2 Ch. 265 361
Société Italo-Belge *v.* Palm and Vegetable Oils (*The Post Chaser*) [1981] 2 Lloyd's Rep. 695 457
Socony Mobil Oil Co. Inc. *v.* West of England Ship Owners Mutual Insurance Association (London) Ltd. (*The Padre Island*) [1984] 2 Lloyd's Rep. 408 ..... 512, 524
Sonmez Denizcilik Ve Ticaret Anonim Sirketi *v.* The M.V. *Blooming Orchard* (*The Blooming Orchard (No. 2)*) (1990) N.S.W. S.C. (No. 000046 of 1990) (unreported) 326
Soproma S.p.A. *v.* Marine & Animal By-Products Corp. [1966] 1 Lloyd's Rep. 367 ..... 538, 539, 542
South Australian Insurance *v.* Randell (1869) L.R. 3 P.C. 101 24

South British Insurance Co. Ltd. *v.* Gauci Bros. [1928] A.c. 352 ..... 517, 518, 520, 521
South London Greyhound Racecourses Ltd. *v.* Wake [1931] 1 Ch. 496 218
Southtrust Bank of Alabama *v.* Borg-Warner Acceptance Corp. (1985) 760 F. 2d 1240; 40 U.C.C. 1601 (11th Cir.) 534
South Yorkshire Railway and River Dun Co. *v.* Great Northern Railway Co. (1853) 9 Ex. 55 212
Soya G.m.b.H. *v.* White [1983] 1 Lloyd's Rep. 122 164
Spagnol & Co. Ltd. *v.* R.A.S., 1965 Diritto Marittimo 462 98
Spartan Steel *v.* Martin [1973] 1 Q.B. 569 545
Spedding *v.* Spedding (1913) 3 W.N. (N.S.W.) 81 387
Spencer (*Re*) (1881) 51 L.J. Ch. 271 362
Spencer *v.* Harding (1870) L.R. 5 C.P. 561 32
Spiliada Maritime Corp. *v.* Cansulex Ltd. (*The Spiliada*) [1987] A.C. 460 ..... 13, 341
Spiliada, The [1987] A.C. 460 ..... 13, 341
Spurrier *v.* La Cloche [1902] A.C. 446 515
Stach (Ian) Ltd. *v.* Baker Bosley Ltd. [1958] 2 Q.B. 130 148
Stag Line *v.* Foscolo Mango (1932) A.C. 328; [1931] 2 K.B. 48 79
Staley (*Re*) (1977) 426 F. Supp. 437 (M.D. Ga.) 534
Staniar *v.* Evans (1886) 34 Ch. D. 470 361
Stanlake Holdings Ltd. *v.* Tropical Capital Investment Ltd. [1991] 24 May (unreported) 481
State National Bank *v.* Farah Mfg. Co. Inc. (1984) 678 S.W. 2d 661 (Tex. C.A.) 433
State of Ohio *v.* Interior (1989) 880 F. 2d 432 249
State Trading Corp. of India Ltd. *v.* M. Golodetz Ltd. (*The Sara D*) [1989] 2 Lloyd's Rep. 277 ..... 70, 88, 152, 153
States Marine International Inc. *v.* Seattle-First Nat. Bk. (1975) 524 F. 2d 245 (9th Cir.) 6
Steele *v.* Williams (1858) 8 Ex. 625 501
Steiglitz *v.* Egginton (1815) Holt N.P. 141 212
Stephens *v.* Badcock (1832) 3 B. & A. 354 373
Stephens *v.* Cuckfield Rural District Council [1960] 2 Q.B. 373 452
Stephens Travel Service International Pty. Ltd. *v.* Qantas Airways Ltd. (1988) 13 N.S.W.L.R. 331 369
Stilk *v.* Myrick (1809) 2 Camp. 317 306
Stirrup's Contract (*Re*) [1961] 1 W.L.R. 449 224
Street *v.* Blay (1831) 2 B. & Ad. 456 64
Stromdale & Ball Ltd. *v.* Burden [1952] Ch. 223 218
Stuart *v.* Bell [1891] 2 Q.B. 341 22
Stuart *v.* Wilkins (1778) 1 Dougl. 18 52
Suisse Atlantique Société d'Armement Maritime S.A. *v.* N.V. Rotterdamsche Kolen Centrale [1976] 1 A.C. 361 70
Sullivan *v.* Creed [1904] 2 I.R. 317 444
Superhulls Cover case (No. 2) (The) [1990] 2 Lloyd's Rep. 431 454
Super Servant Two, The [1990] 1 Lloyd's Rep. 1 305
Sutcliffe *v.* Thackrah [1974] A.C. 727 514
Sze Hai Tong Bank *v.* Rambler Cycle Co. [1959] A.C. 576 541

TCB Ltd. v. Gray [1986] Ch. 621 218
TFL Prosperity, The [1984] 1 W.L.R. 48 77
T.M. Noten B.V. *v.* Harding [1989] 2 Lloyd's Rep. 527; [1990] 2 Lloyd's Rep. 283 (C.A.) 162, 163, 164, 165
T.W. Thomas & Co. Ltd. *v.* Portsea Steamship Co. Ltd. [1912] A.C. 1 114
Tai Hing Cotton Mill *v.* Liu Chong Hing Bank [1986] A.C. 80 ..... 21, 458
Tai Hing Cotton Mill Ltd. *v.* Lui Chong Hing Bank Ltd. (No. 2) [1986] A.C. 519 416
Tailby *v.* Official Receiver (1888) 13 App. Cas. 523 535
Tatem Ltd. *v.* Gamboa [1939] 1 K.B. 132 302
Tatung *v.* Galex Telesure (1989) 5 B.C.C. 325 ..... 531, 534, 537
Taylor *v.* Caldwell (1863) 3 B. & S. 826 299
Taylor *v.* Combined Buyers Ltd. [1924] N.Z.L.R. 627 55
Taylor *v.* Plumer (1815) 3 M. & S. 562 ..... 478, 479, 480
Tennant *v.* Howatson (1888) 13 App. Cas. 489 (P.C.) 42
Tesaba, The [1982] 1 Lloyd's Rep. 397 108
The Queen in Right of Ontario *v.* Ron Engineering & Construction Eastern Ltd. (1981) 119 D.L.R. (3d) 267 35

Thomas *v.* Houston Corbett & Co. [1969] N.Z.L.R. 151 486
Thomas *v.* Kelly (1888) 13 App. Cas. 506 43
Thomas (T.W.) & Co. Ltd. *v.* Portsea Steamship Co. Ltd. [1912] A.C. 1 114
Thompson *v.* Charnock (1799) 8 T.R. 139 516
Thompson *v.* Dominy (1845) 14 M. & W. 403 538
Thompson *v.* McCullough [1947] K.B. 447 220
Thomson *v.* Clydesdale Bank Ltd. [1893] A.C. 282 ..... 363, 374
Thomson *v.* Weems (1884) 9 App. Cas. 671 438
Thorley (Joseph) Ltd. *v.* Orchis S.S. Co. Ltd. [1907] 1 K.B. 660 71
Thurnell *v.* Balbirnie (1837) 2 M. & W. 787 513
Timmerman's Graan-en Maalhandel en Maalderij B.V. *v.* Sachs [1980] 1 Lloyd's Rep. 194 16
Toepfer *v.* Lenersan-Poortman N.V. [1980] 1 Lloyd's Rep. 143 151
Tojo Maru, The [1972] A.C. 242 ..... 108, 112
Toller *v.* Law Accident Insurance Society Ltd. (1936) 55 Ll.L. Rep. 258 522
Tor Line A.B. *v.* Alltrans Group of Canada Ltd. (*The TFL Prosperity*) [1984] 1 W.L.R. 48 77
Toronto Rly Co. *v.* National British and Irish Millers Insurance Co. Ltd. (1914) 20 Com. Cas. 1 . 520
Towers *v.* Barrett (1786) 1 T.R. 133 64
Tracomin S.A. *v.* Sudan Oil Seeds Co. Ltd. (No. 2) [1983] 1 W.L.R. 1026 512
Tradax Export S.A. *v.* Carapelli S.p.A. [1977] 2 Lloyd's Rep. 157 61
Tradax Export S.A. *v.* Italgrani di Francesco Ambrosio [1986] 1 Lloyd's Rep. 112 ..... 147, 150
Trade Practices Commission *v.* Australian Meat Holdings Pty. Ltd. [1988] A.T.P.R. 40–876 238
Transvaal & Delagoa Bay Investment Co. Ltd. *v.* Atkinson [1944] 1 All E.R. 579 484
Trans World Airlines *v.* Franklin Mint, 1984 AMC 1817 99
Tribels, The [1985] 1 Lloyd's Rep. 128 110
Trident General Insurance Co. Ltd. *v.* McNiece Bros. Pty. Ltd. (1988) 165 C.L.R. 107 414
Tropwind, The [1981] 1 Lloyd's Rep. 45; [1982] 1 Lloyd's Rep. 232 (C.A.) 328
Tropwood A.G. of Zug *v.* Jade Enterprises Ltd. (*The Tropwind*) [1981] 1 Lloyd's Rep. 45; [1982] 1 Lloyd's Rep. 232 (C.A.) 328
Tudor Grange Holdings Ltd. *v.* Citibank N.A. [1991] 4 All E.R. 1 449
Turner (1984) 13 C.C.C. (3d) 430 398
Turner *v.* Sylvester [1981] 2 N.S.W.L.R. 295 231
Twyford *v.* Manchester Corp. [1946] Ch. 236 501
Tyler (*Re*) [1907] 1 K.B. 865 382

UBAF *v.* European American Banking Corp. [1984] Q.B. 713 171
U.D.T. *v.* Taylor 1980 S.L.T. 28 (Sh. Ct.) 127
U.S. Shipping Board *v.* Bunge y Born (1925) 42 T.L.R. 174; (1924) 30 Com. Cas. 129 (C.A.); (1924) 40 T.L.R. 541 75
Uhenbels, The [1986] 2 Lloyd's Rep. 294 ..... 8, 439
Underwood (A.L.) Ltd. *v.* Bank of Liverpool [1924] 1 K.B. 775 (C.A.) 215
Union Bank of Australia Ltd. *v.* McClintock [1922] 1 A.C. 1 478
Unique Mariner, The [1978] 1 Lloyd's Rep. 428 ..... 3, 112
Unique Mariner (No. 2), The [1979] 1 Lloyd's Rep. 37; noted [1990] LMCLQ 352 ..... 109, 112
United City Merchants *v.* Royal Bank of Canada (*The American Accord*) [1983] 1 A.C. 168 43
United States *v.* Ballard (1986) 645 F. Supp. 788 (D. Mont.) 533
United States *v.* New Orleans R.R. (1871) 79 U.S. (12 Wall) 362 533
United States *v.* U.S. Gypsum Co. (1978) 1 U.S.T.C. 62,103 (U.S.S.C.) 353
Universal Petroleum Co. Ltd. *v.* Handels und Transport G.m.b.H. [1987] 1 W.L.R. 1178 132
Uxbridge Permanent Benefit Building Society *v.* Pickard [1939] 2 K.B. 248 ..... 215, 218

Venetian Glass Gallery Ltd. *v.* Next Properties Ltd. [1989] 2 E.G.L.R. 42 220
Verna Trading Pty. Ltd. *v.* New India Assurance Co. Ltd., 14 December 1989 (Vict. C.A.) 36
Verna Trading (Aust.) Pty. Ltd. *v.* New India Assurance Co. Ltd. (1990) 6 A.N.Z. Insurance Cases Nos. 60–947 (Vic. S.C. App. Div.) 334
Versatile Pacific Shipyards Inc. *v. The Prince George* (1990) 31 F.T.R. 310 (Fed. C.C.) 277
Vincent *v.* Premo Enterprises (Voucher Sales) Ltd. [1969] 2 Q.B. 609 ..... 209, 211
Viney *v.* Bignold (1887) 20 Q.B.D. 172 ..... 508, 510, 511, 517, 519
Virgo, The [1978] 2 Lloyd's Rep. 167 16
Vishva Pratibha, The [1980] Sing. Rep. 265 100
Vistafjord, The [1988] 2 Lloyd's Rep. 343 8
Vita Food Products Inc. *v.* Unus Shipping Co. Ltd. [1939] A.C. 277 320

Voest Alpine Intertrading G.m.b.H *v.* Chevron International Oil Co. Ltd. [1987] 2 Lloyd's Rep. 547 60
Voth *v.* Manildra Flour Mills Pty. Ltd. (1990) 65 A.L.J.R. 83 340

Wm. Cory & Son Ltd. *v.* I.R.C. [1964] 1 W.L.R. 1332 211
Wallis *v.* Hirsh (1856) 1 C.B. (N.S.) 316 523
Walsham *v.* Stainton (1863) 33 L.J. Ch. 68 362
Walthamstow Building Society *v.* Davies (1989) 22 H.L.R. 60 532
Walton's Stores (Interstate) Ltd. *v.* Maher (1988) 164 C.L.R. 387 (H.C.A) 8, 36, 433
Ward Ltd. *v.* Bignall [1967] 1 Q.B. 534 160
Warlow *v.* Harrison (1859) 1 E. & E. 309 32
Warman *v.* Southern Counties Car Finance [1949] 2 K.B. 576 ..... 65, 160
Waterman S.S. Corp. *v.* 350 Bundles of Hardboard, 1984 AMC 2709 6
Watkins *v.* Nash (1875) L.R. 20 Eq. 262 211
Watson, *ex p.* (1888) 21 Q.B.D. 301 213
Watson (*Re*) [1899] 1 Ch. 72 382
Wayne Tank *v.* Harbutt's Plasticine [1970] 1 Q.B. 447 90
Weldtech (*Re*) [1991] B.C.C. 16 531
Wellington *v.* Mackintosh (1743) 2 Atk. 569 516
Wells *v.* Maritime Services Board (1990) C.C.A. of N.S.W. (No. 060520/89) (unreported) 340
Welsh Development Agency *v.* Export Finance Co. Ltd. [1990] B.C.C. 393 39
West *v.* National Motor & Accident Insurance Union Ltd. [1955] 1 Lloyd's Rep. 207 413
Westpac Banking Corp. *v.* Savin [1985] 2 N.Z.L.R. 41 ..... 358, 388
Westpac Corp. *v.* Metlej [1987] A.C.L.D. 511 416
Weston *v.* Downes (1778) 1 Doug. (K.B.) 23 ..... 64, 474
Whincup *v.* Hughes (1871) L.R. 6 C.P. 78 491
Whitchurch (George) Ltd. *v.* Cavanagh [1902] A.C. 117 296
White *v.* Verkouille [1990] 2 Qd. R. 191 238
White and Carter (Councils) Ltd. *v.* McGregor [1962] A.C. 413 (H.L. (Sc.)) 67
Whitely (William) *v.* R. (1910) 101 L.T. 101 501
Wiggins Teape Australia Pty. Ltd. *v.* Baltica Insurance Co. Ltd. [1970] 2 N.S.W.R. 77 ..... 37, 334
Wigzell (*Re*) [1921] 2 K.B. 835 382
William Ewing *v.* Dominion Bank (1904) 25 S.C.R. 133 21
William Whitely *v.* R. (1910) 101 L.T. 101 501
Williams *v.* Roffey Bros. & Nicholls (Contractors) Ltd. [1990] 2 W.L.R. 1153; [1990] 1 Q.B. 1 (C.A.) 9, 306
Williams *v.* Williams (1881) 17 Ch. D. 437 ..... 359, 363, 389
Williams-Ashman *v.* Price & Williams [1942] 1 Ch. 219 369
Willis (R.H.) & Son *v.* British Car Auctions Ltd. [1978] 1 W.L.R. 439 372
Willis and Jermine's Case (1589) 2 Leo. 97 211
Wilson *v.* Compagnie des Messageries Maritimes [1954] 2 Lloyd's Rep. 544 525
Wilson *v.* Kelland [1910] 2 Ch. 306 536
Wilson *v.* Lord Bury (1880) 5 Q.B.D. 518 360
Wilson *v.* Moore (1834) 1 My. & K. 337 ..... 364, 371, 372
Windsor Refrigerator Co. Ltd. *v.* Branch Nominees Ltd. [1961] Ch. 88 ..... 212, 222
Winkfield, The [1902] P. 42 205
Winson, The [1982] A.C. 939 3
Winter *v.* Bancks (1901) 84 L.T. 504 372
Woodall *v.* Pearl Assurance Co. Ltd. [1919] 1 K.B. 593 ..... 508, 510, 518, 519, 520, 522
Woolfe *v.* Horne (1877) 2 Q.B.D. 355 147
Woolwich Equitable Building Society *v.* I.R.C. [1991] T.L.R. 258; [1989] 1 W.L.R. 137 ..... 473, 498
World Renown, The [1991] 7 March, Hobhouse, J., LMLN 298 472
Worsley *v.* Wood (1796) 6 T.R. 710 ..... 513, 523

Xenos *v.* Wickham (1866) L.R. 2 H.L. 296 211

Yandil Holdings Pty. Ltd. *v.* Insurance Co. of North America (1986) 7 N.S.W.L.R. 571 234
Yelo *v.* S.M. Machado [1952] 1 Lloyd's Rep. 183 147
Yeoman Credit Ltd. *v.* Apps [1962] 2 Q.B. 508 160
Youell *v.* Bland Welch & Co. Ltd. [1990] 2 Lloyd's Rep. 423 455

Youell *v.* Bland Welch & Co. Ltd. (The Superhulls Cover case (No. 2)) [1990] 2 Lloyd's Rep. 431 454
Youen Kin-Yeu *v.* Attorney-General of Hong Kong [1988] A.C. 175 183
Young & Marten Ltd. *v.* McManus Childs Ltd. [1969] 1 A.C. 454 (H.L.) 56
Young (*Re*) [1955] St. R. Qd. 254 238
Ypatianna, The [1988] Q.B. 345 24

Z Ltd. *v.* A–Z & AA–LL [1982] Q.B. 558 ..... 232, 242
Zelger, Case 129/83 [1984] E.C.R. 2397 14
Zephyr, The [1984] 1 Lloyd's Rep. 58 455

Table of Legislation

Accession Convention 1978, art. 25(2) ...447, 449
Act on Economic Activity with the Participation of Foreign Parties (Polish Foreign Investment Act) 1989 (Poland) 412
Acts of Sederunt (Rules of Court Amendment No. 2) (SI 1985, No. 500) 506
Administration of Justice Act 1956, ss. 1, 3 (replaced by ss. 20, 21 of the Supreme Court Act 1981) 449
Admiralty Act, S.C. 1934, c.31; R.S.C. 1952, c.1 (Canada) 269
Admiralty Act 1988 (Australia), s. 29 ....327, 335
An Act for declaring the rights and liberties of the subject and setting the succession of the Crown (1689) 1 Wm. and Mary, cap. 36, art. 4 497
Arbitration Act 1934—
ss. 3, 14 524
s. 16(6) 17
Arbitration Act 1950—
s. 4(1) 509, 521, 523
ss. 22, 23 514
24(2), 25(4) 524
s. 24(3) 523
25(4) 522, 528
26 518
27 ..... 15, 16, 17, 18, 527
32 521
Part II 518
Arbitration Act 1975—
s. 1 .....509, 521, 523
(1) 521
(4) 509
7(1) 521
Arbitration Act 1979 420
s. 1 514
Arbitration Act, R.S.B.C. 1979, c.18 (Canada) (repealed)—
s. 4(i) 269
Athens Convention on the Carriage of Passengers and their Luggage by Sea 1974, art. 9 102
Athens Convention on the Carriage of Passengers and their Luggage by Sea 1976, art. 9 102
Aviation and Maritime Security Act 1990 .....44 *et seq.*
s. 1(1) 45, 46
(2) 45
(4),(5),(6),(9) 46
ss. 2–8 ..... 45, 49, 50
9, 10, 11(1), (2), (3), 12(2), (3), 13, 14(1), (3), (4) 48
15, 17 49
19, 20, 22, 23, 29, 36, 37–40, 41, 42 .. 51
47, 48 50
s. 49 47
Sched. 3, para. 10 47
Aviation Security Act 1982—
s. 11 50
13A 49
14 49
Banking Act 1987 130
s. 1(4) 183
Bills of Exchange Act 1882 ..... 53, 188, 416
s. 2 464
21 291
(1) 464, 466, 469
27(1) 464, 467
(a) 465
(b) 464, 465, 469
(2) 464, 465, 467, 468, 469
29(1)(b) 468, 497
38(2) 541
55(1)(a) 464
58(2)(3) 469
73 464
Bills of Exchange Act 1909 (Australia) 416
Bills of Lading Act 1855 .....5, 85, 459, 460
s. 1 .....6, 10, 197, 202, 203, 205
3 206
Bills of Sale Act 1878—
s. 4 42
8 281
10 535
Bills of Sale Acts 1878–1882 .....157, 535
Brussels Collision Convention 1910—
art. 7 273
Brussels Convention on Bills of Lading 1924 (The Hague Rules)—
art. 4, para. 5(d) 102
art. 9 99

Brussels Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters 1968 446
art. 1 446
2 ..... 446, 447
arts. 2–18 447
art. 3 447
4 448
5 447
(2)(7) 448
8(2) 448
14 448
16 446
(1) 282
17 ..... 446, 448
20 447
21 446
57 ..... 447, 448
CMI Draft Salvage Convention 1981—
arts. 2–1, 2–2, 3–2, 3–3, 4–1, 4–2(2), 4–3 105
Canada Shipping Act, R.S.C. 1985, c. S–9—
s. 47(1) 277
275 274
572(1), (3) 273
575 275
(1) 279
(2) 276
577(1) 276
578(1) 274
ss. 661, 662 278
Cargo Shipping Act 1989 (Australia) ..... 342 *et seq.*
Carriage by Air Act 1961, Sched. 1, art. 13 206
Carriage of Goods by Road Act 1965, Sched., art. 13 206
Carriage of Goods by Sea Act 1924 ..... 79–80, 93
Carriage of Goods by Sea Act 1971—
s. 1(2) 94
(6)(a) 207, 462
(b) 207
Carriage of Goods by Sea Act 1936 (U.S.) 92, 114
Carriage of Goods by Sea Ordinance 1950 (Malaysia) 331
Cash Transactions Reports Act 1988 (Australia), s. 20 416
Chattel Securities Act 1987 (Australia, Victoria) 416
Cheques and Payment Orders Act 1986 (Australia), ss. 62–66 416
Civil Code 1804 (France) 53
art. 14 448
Civil Code (Italy), art. 1280 98
Civil Code (Poland)—
arts. 758–764, 761(1), 762, 764 408
762, 763 411
Civil Evidence (Scotland) Act 1988, s. 5 ... 402
Civil Jurisdiction and Judgments Act 1982—
s. 26 ..... 132, 327, 335
ss. 41, 42 446
Sched. 1 ..... 246, 446, 447
4, art. 2 447
Civil Law Act (Singapore), s. 5(1) 331
Civil Liability Convention 252
Closer Economic Relations Treaty (Australia/New Zealand) 344
Coinage Act 1971 99
Commerce Act (New Zealand) 344
Commercial Arbitration Act, S.B.C. 1986, c. 3 (Canada), ss. 11(1), 26(1) 269
Commercial Arbitration Act, 1986 S.C., c. 22 (Canada), s. 8 ..... 270, 271
Commercial Arbitration Act 1984 (N.S.W., Australia)—
s. 55 530
Commercial Arbitration Code (Canada), art. 8 270
Commercial Code 1897 (Germany) 408
Common Law Procedure Act 1854, s. 11 .. 509
Companies Act 1907 536
Companies Act 1915 (Luxembourg) (as amended) 258
Companies Act 1948, Sched. 1, Table A, art. 113 214
Companies Act 1985—
s. 35(1), (2) 227
36A 225, 227
(3), (4), (5) 226, 229
(6) 226, 227, 228, 229
395 ..... 40, 535
(1) 537
396(1)(b) 42, 160
(c) 42, 157
(2)(c) 42
(4) 42, 161, 537
398(1) (as amended by C.A. 1989, s. 95) 537
400 (to be replaced by new s. 398(1) .. 536
414 (as amended by C.A. 1989, s. 103) 535
735(1) 226
744 225
Part XII 160
Companies Act 1989—
s. 93 ..... 42, 157, 160, 537
95 535
108(1) 227
130(2) 209, 225
Part IV 160
Companies (Consolidation) Act 1908, Sched. 1, Table A, art. 76 214
Companies (Tables A to F) Regulations 1985 (S.I. 1985 No. 805) Sched., Table A, art. 101 214
Comprehensive Environmental Response Compensation Liability Act (U.S.) ... 433
Computer Misuse Act 1990 ..... 391 *et seq.*

Conference of the European User's Council of the London Court of International Arbitration 1987 546
Constitution Act 1867 (Canada)—
s. 91(10) 267
ss. 92(14), 96, 101 264
s. 101 ..... 264, 267, 268
Constitution of the Grand Duchy of Luxembourg 1868 (as amended), art. 83 bis 258
Consumer Credit Act 1974 ..... 281, 429
s. 75 127
Consumer Protection Act 1987—
Part 1 ..... 142, 287
2 287
Contracts (Applicable Law) Act 1990 ..... 314 *et seq.*
s. 2(2) 324
(3) 315
3(2) 318
Sched. 1 314
2 (Luxembourg Convention) 314
3 (Brussels Protocol) 314, 318
4 318
Contracts Review Act 1980 (Australia, N.S.W.) 338, 416
Convention concerning International Carriage by Rail, art. 28 206
Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal 1971 ..... 45 *et seq.*
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, and accompanying Protocol on Fixed Platforms, Rome 1988 ..... 45, *et seq.*
Convention on Civil Liability for Damage Caused During Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels 1989, art. 12, para. 2 ... 102
Convention on Civil Liability for Oil Pollution 1969, art. v, para. 9(*b*) 102
Convention on the Recognition and Enforcement of Foreign Arbitral Awards, New York 317, 427
art. VII 419
Convention Relating to the Arrest of Seagoing Ships 1952 (The Brussels Arrest Convention)—
arts. 5, 7 449
Convention Relating to the Limitation of Liability for Maritime Claims 1976, art. 18 102
Copyright Designs and Patents Act 1988 .. 394
Credit Act 1987 (Australia, N.S.W.) 416
Criminal Damage Act 1971 ..... 396, 397
Criminal Evidence Act 1965 402
Criminal Justice Act 1982 (as amended), s. 37(2) 396
Criminal Justice Act 1987, s. 2 131
Criminal Justice Act 1988, s. 98 131
Criminal Justice (Scotland) Act 1980, Part IV 396
Criminal Procedure (Scotland) Act 1975—
ss. 289G(2), 436 396
Departmental Advisory Committee on Arbitration Law, Second Report, May 1990 ..... 530, 546
Discussion Paper (May 1990) of the Scottish Advisory Committee (The Operation of Arbitration in Scotland in light of the UNCITRAL Model Law, para. 4.3) 546
EEC Admissions Directive 1979 (79/279/EEC 183
EEC Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters 1968 (Brussels Convention on Jurisdiction and Judgments)—
art. 1 446
2 ..... 11, 13, 446, 447
arts. 2–18 447
art. 3 447
4 448
5(1) 12, 447
(2) 448
(7) 448
6(2) 12
8 11
(2) 448
14 448
16 448
17 ..... 446, 448
20 447
21 ..... 13, 14, 446
57 ..... 447, 448
Protocol (1971) 319
EEC Convention on the Law Applicable to Contractual Obligations 1980 ..... 314 *et seq.*
EEC Directive on Liability for Defective Products, art. 7 127
EEC Second Banking Directive 130
EEC Treaty 1957 (Treaty of Rome) (as amended)
arts. 48–73 257
85, 86 184
Edict on the Recognition and Execution in the USSR of Foreign Court Decisions and Arbitration Awards 1988 (USSR) 415
Extradition Act 1870 ..... 47, 400
Extradition Act 1989 393
ss. 2(1), 4 400
Sched. 1 ..... 47, 400
Factors Act 1889—
s. 1 541
(4) 539
2 542
Factories Act, s. 14 418

Federal Bills of Lading Act 1916 (The Pomerene Act) (U.S.), s. 31 (49 U.S.C.A., s. 111) 199
Federal Computer Fraud and Abuse Act 1984 (U.S.), s. 1030(e)(1) 394
Federal Court Act, R.S.C. 1985, c. F–7 (Canada)—
s. 2 268
17(5)(b) 266
22 267
(1) 267, 268
(2)(i) 267
(m), (n) 265, 267
38 272
43(3) 265
50(1)(b) 270
Federal Court Rules (Canada)—
r. 503 278
1007 275
Federal Oil Pollution Act 1990 (U.S.) ..... 247 *et seq.*
s. 1002 248
1003 251
(a) 248
1004 ..... 251, 252
1004(c)(2)(B) 248
1005 (b)(5) 252
1006 ..... 248, 251
ss. 1012, 1013(c) 251
s. 1015 251
1016 252
(h) 253
1018(C) 250
3001 253
4201 248
(a) 254
4202 254
4301 255
Federal Water Pollution Control Act (U.S.)—
s. 311(c), (e) 250
Finance Act 1985, s. 40 498
Finance Act 1989, ss. 24, 29 505
Finance Bill 1991, cl. 50 505
Financial Leasing Law (Law No. 7 of 10 July 1990) (Panama) ..... 310 *et seq.*
Financial Services Act 1986 ..... 129, 130, 413
s. 48(2)(i), (7), (7A) 192
63 190
192 183
Sched. 1, Part 1 and para. 12 190
Financial Services (Conduct of Businesses) Rules 1987, Part 10 192
Fisheries Act, R.S.C. 1985, c. F–14 (Canada) 266
Forgery and Counterfeiting Act 1981 398
ss. 1, 9(1)(d) 218
Foreign Exchange Act 1989 (Poland) 412
Fund Convention 1971 116
Gaming Act 1845, s. 18 492
General Principles of Civil Law of the People's Republic of China 1987, art. 142 404
General Rate Act 1967—
s. 9 ..... 500, 501
Sched. 1, para. 2 500
Gold Clause Agreement 1950 99
Hague Rules 1924 93
art. III, r. 6 95
IV, r. 2 273
(c),(p) 271
(5) 331
(V) 327
Hague-Visby Rules 1968—
art. III 79
r. 1 462
2 462
4 207
6 ..... 94, 95
8 462
IV, r. 2 79
5 100
IX 100
Health and Safety at Work Act 1974, s. 2 . 417
ILO Convention 22 of 1926 261
ILO Convention 109 of 1958—
art. 19, para. 2 262
109 262
Income Tax (Building Societies) Regulations 1986 498
Inland Revenue Code 1986 (U.S.)—
s. 9509 250
Insolvency Act 1986—
ss. 107, 145, 283, 306 63
s. 239 537
Sched. 1, para. 8 ..... 226, 227
paras. 9, 14 227
4, para. 7 ..... 226, 227
Insurance Companies Act 1982 ..... 130, 413
Interception of Communications Act 1985—
ss. 1(2), 2, 10(3) 401
International Collision Regulations 1972 .. 340
International Commercial Arbitration Act, S.B.C. 1986, c. 14 (Canada)—
s. 31(8) 269
International Convention on Certain Rules concerning Civil Jurisdiction in Matters of Collision, Brussels 1952 (The Brussels Collision Convention)—
art. 8 449
International Convention on Salvage 1989 ..... 104 *et seq.*
art. 1 106
(a) 108
(b), (c) 108
(d) 106
2 112
3 ..... 108, 112
4 ..... 104, 112

International Convention on Salvage 1989—*cont.*
art. 5 ..... 104, 112
6 ..... 4, 109
(1) 112
(2) 4, 5, 109, 112
7 112
8 ..... 105, 106, 108, 109, 113, 114
(1) 108
(a) 113
(b) 106, 113
(d) 112
(2) 108
(a), (c) 113
9 112
10 ..... 104, 112
11 112
12 111
(1), (3) 104, 112
13 ..... 104, 105, 106, 107, 108, 111
(1) 104, 106, 107, 115
(b) 106
14 ..... 105, 106, 107, 108, 110, 111
(1) 107
(2) 106, 107
(3) 107
(4) 107
(5) 108
15 112
16 ..... 104, 112
17 112
18 ..... 104, 112
19 ..... 104, 111
20 ..... 105, 112
21 ..... 105, 112, 114
(2) 105, 114
22 ..... 105, 112
23 104
25 112
26 112
27 112
arts. 28–34 112
art. 30 108
International Monetary Fund Act 1979 429
International Organizations Act 1968 429
International Transport Conventions Act 1983, Sched. 1. 206
Interpretation Act 1978, Sched. 1 202
Intervention on the High Seas Act (U.S.) 250
Jack Committee Report on Banking Services Law and Practice 131, 416, 468, 469
Judicature Act 1908 (New Zealand), s. 94B (inserted by the Judicature Amendment Act 1958) 486
Land Charges Act 1972 535
Land Registration Act 1925, s. 29 535
Land Registration (Execution of Deeds) Rules 1990 (S.I. 1990 No. 1010) 224
Landlord and Tenant Act 1988, s. 1(3) 221
Latent Damage Act 1986 172
Law of 23 March 1983, No. 84 (Italy) 97
Law of 9 May 1984, No. 188 (Denmark) ... 317
Law Commissions Act 1965, s. 3(1)(a) 392
Law of Property Act 1925—
s. 73(1) 213
74 ..... 213, 214
(1) 209, 213, 214, 215, 217, 226, 227, 228
(3) 209
(6) 214
97 535
136 198
205(1)(xx), (xxi) 213
(xxi) 213, 223
Law of Property (Miscellaneous Provisions) Act 1989—
s. 1 ..... 209, 222
(1)(a) 222, 223
(b) 225, 226
(c) 223, 230
(2) 224, 226
(a) 224, 229
(b) 224
(3) 209, 225, 227, 229
(b) 225
(5) 223, 224
(6) 223
(10) 213, 224
4 213
Law of the People's Republic of China on Joint Ventures using Chinese and Foreign Investment (Equity Joint Venture Law) 1979 ..... 403 *et seq.*
art. 2 403
6 404
arts. 7(2), 8 406
art. 12 405
Law Reform (Contributory Negligence) Act 1945 457
Leasehold Reform Act 1967 220
Limitation Act 1923 526
Limitation Act 1980 526
s. 2 170
5 ..... 108, 170
34(1) 527
(2) 527, 528
Limitation Convention 1957 279
Luxembourg Shipping Register Law 1991 ..... 257, *et seq.*
MacKinnon Committee Report on the Law of Arbitration, Cmd. 2817 (1927) 523
Manning Committee Report on the Bills of Exchange Acts 1909–1958 416
Marine Insurance Act 1906—
s. 6(1) 333
33 ..... 89, 437
(1) 437
(3) 437, 438
34(3) 437, 438, 439
46 89
48 ..... 37, 334

Marine Insurance Act 1909 (Australia)—
s. 12(1) 333
54 ..... 37, 38, 334
Maritime Code 1962 (Poland) ..... 408 *et seq.*
art. 1 408
2 411
arts. 197, 198(2) 411
197–203 408
art. 204(2) 410
206 409
Maritime Conventions Act 1911, s. 8 108
Merchant Shipping Act 1894 428
ss. 544–546 112
s. 546 (as amended) 108
Merchant Shipping Act 1979, Sched. 4, Part II 112
Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1983 (SI 1983, No. 708, Sched. 1 (The Collision Regulations), r. 14 443
Misrepresentation Act 1967 ..... 20, 64
Mortgaging of Aircraft Order 1972 428
National Health Service (Fund-Holding Practices) (Applications and Recognition) Regulations 1990 (S.I. 1990 No. 1753), reg. 6(c) 391
Navigation Act 1912 (Australia)—
s. 210(1) 326
326 339
Navigation (Collision) Regulations 1983 (Australia, N.S.W.), reg. 25(e) 340
New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 523
Par Value Modification Act (repealed 1978) 99
Police and Criminal Evidence Act 1984—
ss. 69, 119, Sched. 7, Part III 402
Powers of Criminal Courts Act 1973 (as amended)—
ss. 35, 43(1) 396
Prevention of Terrorism (Temporary Provisions) Act 1989 131
Proceeds of Crime Act 1987 (Australia) ... 416
Property Law Act 1969 (W. Australia)—
s. 124 486
Protection of Aircraft Act 1973 45
Protection of Trading Interests Act 1980 .. 429
Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Aviation, Montreal 1988 ..... 45, *et seq.*
art. 1 ..... 45, 47
Protocols of Montreal 1975 to the Warsaw Convention 97
Quebec Civil Code 1866—
arts. 1715, 1716 268
2145–2147 269
art. 2231 272
R.S.C. (Rules of the Supreme Court)—
Ord. 11 ..... 14, 29, 464, 469
r. 1(1) 14
14 67
18, r. 19 450
20, r. 5(3) 336
53 506
Racketeering Influenced and Corrupt Organizations Statute, Pub. L. No. 91–452, ss. 1961 *et seq.* (U.S.) 433
Recognition of Trusts Act 1987 316
Regulations for the Implementation of the Equity Joint Venture Law of the People's Republic of China 1983 404
art. 33 404
35 404
36 405
37 404
39 405
Restatement (Third) of Foreign Relations Law of the United States, s. 403 245
Restrictive Trade Practices Act 1956 184
Road Traffic Act 1972 414
Road Traffic Act 1988 414
Robinson-Patman Act (U.S.) 344
Sale of Goods Act 1893—
s. 11(1)(*c*) 64
55 (as amended by s. 4 of the Supply of Goods (Implied Terms) Act 1973 452
Sale of Goods Act 1979—
s. 2(1) 52
8(1) 534
9 513
10(1) 153
12(3) 66
ss. 13, 14 281
s. 14(1) 54, 454
(2) 54
(6) 56
16 ..... 196, 197
17(1) 155, 157, 158, 159, 540
18, r. 1 64
19(1) 155, 156, 159
20 63
ss. 24, 25 ..... 541, 542
s. 32(3) 141
34(2) 57
35 65
(1) 57
49 63
(1) 67
(2) 66
54 65
55 452
62(2) 54
(4), ... 40, 157, 158, 159
Salvage Convention 1910, arts. 2, 3, 5, 6, 8, 9, 10, 11, 13, 14 104

Sea-Carriage of Goods Act 1924 (Australia) 114, 326
ss. 4, 5, 6 327
s. 9(1), (2) 326, 327
Stamp Duties Act 1923 (S. Australia), s. 31(1)(a) 340
State Immunity Act 1978 429
s. 5 431
Supply of Goods (Implied Terms) Act 1973, s. 3 56
s. 4 (amending s. 55 of the Sale of Goods Act 1893) 452
Supreme Court Act 1981 265
ss. 20, 21 (replacing ss. 1 and 3 of the Administration of Justice Act 1956) 449
s. 31 506
35A 499
Supreme Court Rules (Australia, N.S.W.), Pt. 20, r. 4(3) 336
Supreme Court Rules (Canada), r. 7 269
Supreme Court Rules (Tasmania), Ord. 30, r. 15 336
Swiss Penal Code, art. 271 ..... 27, 29, 234, 236
Taxes Management Act 1970, s. 33 505
Third Parties (Rights Against Insurers) Act 1930 86
Torts (Interference with Goods) Act 1977, s. 10 25
Trade Descriptions Act 1968, s. 14 126
Trade Practices Act 1974 (Australia) ..... 342 *et seq.*
s. 10.67 ..... 345, 355
45 ..... 342, 343, 344, 345, 347, 356
46 ..... 347, 348, 350, 351, 356
(1)(c) 348
47 ..... 343, 344, 346, 347, 356
(1) 345
(6) 344, 345
(7) 344, 345
(13)(e) 346
49 ..... 344, 351, 352, 356
ss. 52, 68(1)(c), 74, 87(2)(a) 338
Part X (1989 amendments) 342, 356
Trade Practices (International Line Cargo Shipping) Amendment Act (Australia) 350
UNCITRAL Model Law of Arbitration 1985 270
art. 16(1) 422
(1) 421
UNCITRAL Model Law of Arbitration 1985—*cont.*
art. 28(1), (2) 421
34(2)(a)(iv) 422
UNCLOS (United Nations Convention on the Law of the Sea) 1982 ..... 425, 429
Unfair Contract Terms Act 1977—
ss. 2, 3 ..... 451, 453, 454
s. 6(1) 66
(2)(3) 454
7(3A) 66
10 ..... 450, 451, 452, 453, 454
11(1) 453
13 127
15(1) 452
27 320
Part I 452
II (s. 23) 453
III (ss. 26–32) 452
Sched. 1 453
Uniform Commercial Code (UCC) (U.S.),
2–105(4) 197
2–704, 709 ..... 54, 67
9–107 ..... 531, 534
9–302 537
9–305 537
9–312(3) 537
Uniform Law on International Sales (ULIS) 133
Uniform Sales Act 1906 (U.S.) 54
s. 6 197
United Nations Foreign Arbitral Awards Convention Act, S.C. 1986, c. 21 (Canada) 270
United States Code—
26 U.S.C., s. 9509 250
46 U.S.C., s. 183 *et seq.* 250
Vienna Convention on Contracts for the International Sale of Goods 1980 ..... 133, *et seq.*
art. 6 54
Warsaw Convention 1929—
art. 22 ..... 165, 166, 167, 168, 169
para. 5 98
art. 25 ..... 166, 167, 168, 169
Warsaw Convention 1929 97
York-Antwerp Rules 1974
r.VI(*a*) 106
(*b*) 107